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Special

Department of Telecommunications and Information Services
City and County of San Francisco

SPECIAL NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Wednesday, June 9, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 263

Please note time and change of location for this meeting only.

Pursuant to the requirements set forth in Section 4.104 of the San Francisco Charter, the San Francisco Telecommunications Commission provides the following notice.

At the June 9, 1999 special meeting of the Commission, the Commission will address the following subject:

- The Rules and Regulations for Processing Open Video System (OVS) Franchise Applications.

A proposed draft of the Rules and Regulations are now available. The Commission may propose amendments to the proposed draft at the meeting and may adopt such rules and regulations in a resolution. You can obtain a copy of the proposed draft and proposed resolution by visiting the Commission web site (www.ci.sf.ca/telecommunications_commission) or the Government section of the Main Library, or by contacting the Commission Secretary, Kim Weisman, at 415/554-4443.

Please note that this item was called at the regular monthly meeting of the Commission on May 24, 1999 and continued to the June 9, 1999 special meeting.

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Special

Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

SPECIAL MEETING

OF THE

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Wednesday, June 9, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 263

Please note time and change of location for this meeting only.

AGENDA

1) CALL TO ORDER AND ROLL CALL

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E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

2) PUBLIC ACCESS

a) Action Item

06-08-99P02:31 RCVD

- Proposed Resolution

URGING THE BOARD OF SUPERVISORS TO DESIGNATE AUGUST 1, 1999 AS THE DATE THE CABLE TELEVISION FRANCHISE GRANTEE (TCI) SHALL TRANSFER MANAGEMENT AND CONTROL OVER THE PUBLIC ACCESS CHANNEL TO THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION (SFCTC) AND URGES THE BOARD OF SUPERVISORS TO APPROPRIATE AT LEAST THE $1,378,000 INCLUDED IN THE MAYOR'S DTIS BUDGET FOR THE PUBLIC ACCESS PROGRAM IN THE FISCAL YEAR 1999-2000 BUDGET PROCESS.

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i) Comment

ii) Public Testimony

b) Report on Public Access Questionnaires

i) Comment

ii) Public Testimony

3) OPEN VIDEO SYSTEM (OVS)

- Rules and Regulations for Processing Open Video System (OVS) Franchise Applications (Action Item – Continued from the May 24, 1999 regular meeting)

- Proposed Resolution

APPROVING AND ADOPTING PROPOSED COMMISSION RULES AND REGULATIONS FOR PROCESSING OPEN VIDEO SYSTEM (OVS) FRANCHISE APPLICATIONS, REQUESTING THAT THE SECRETARY FILE THE RULES AND REGULATIONS WITH THE CLERK OF THE BOARD OF SUPERVISORS, AND REQUESTING THE DIRECTOR TO INITIATE A COMPETITIVE PROCESS FOR AWARDING OVS FRANCHISES BY ISSUING A REQUEST FOR PROPOSALS (RFP) TO SOLICIT FRANCHISE APPLICATIONS.

a) Comment

b) Public Testimony

4) PUBLIC COMMENT

5) ADJOURNMENT

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6/9/99

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MINUTES*

WEDNESDAY, JUNE 9, 1999
CITY HALL

ROOM 263

SPECIAL MEETING
5:30 P.M.

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COMMISSIONERS

E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka

Julia M. C. Friedlander
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

* Subject to the approval of the Telecommunications Commission

Order of Business

1. Call to Order and Roll Call

The meeting was called to order by Vice President Ernest Jackson at 5:50 P.M.

Vice President Jackson called roll for the Commission.

Present: Ernest Jackson, Vice President
Bonnie Engel, Commissioner
John Lira, Commissioner
Jan Masaoka, Commissioner

Excused
Absences: David Ellington, President

2. New Business

a) Action Item

- Proposed Resolution 99-015
(See attached final Resolution 99-015)

URGING THE BOARD OF SUPERVISORS TO DESIGNATE AUGUST 1, 1999 AS THE DATE THE CABLE TELEVISION FRANCHISE GRANTEE (TCI) SHALL TRANSFER MANAGEMENT AND CONTROL OVER THE PUBLIC ACCESS CHANNEL TO THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION (SFCTC) AND URGES THE BOARD OF SUPERVISORS TO APPROPRIATE AT LEAST THE $1,378,000 INCLUDED IN THE MAYOR'S DTIS BUDGET FOR THE PUBLIC ACCESS PROGRAM IN THE FISCAL YEAR 1999-2000 BUDGET PROCESS.

Vice President Jackson read the proposed resolution.

Commissioner Masaoka moved that the Commission amend the proposed resolution to include a recommendation for increasing the budget allocation for Public Access. The seventh "Whereas" paragraph was amended to read:

"Whereas, the Telecommunications Commission acknowledges and thanks the Mayor for his commitment to the Public Access Channel by his allocation of 100% of the $472,000 Public Access, Education, and Government Channel Operating Grants, and 100% of the $771,000 PEG Equipment Grants and further, allocated $125,000 of interest accrued from the PEG grants solely to fund Public Access."

After this clause, the following was inserted:

"Whereas, further review by the Department, working with the SFCTC and Commissioners Bonnie Engel and Ernest Jackson, has allowed the Commission to reconsider the costs and SFCTC's ability to swing into full scale operations in a sooner time-frame than was originally believed possible."

The opening and ending clauses were amended to reflect these changes.

Commissioner Engel motioned to accept the amended resolution, seconded by Commissioner Lira. The Commission moved to adopt as amended with four ayes [Jackson, Engel, Lira, Masaoka], none opposed.

- Comment

President Jackson offered congratulations to the SFCTC.

Commissioner Engel thanked all of the producers and people who have supported Public Access for the past twenty-seven years.

- Public Testimony

Zane Blaney, CEO, San Francisco Community Television Corporation (SFCTC), profusely thanked the Commission for their collective and individual support of Public Access, and thanked Mayor Brown for getting the PEG grants for Public Access. Mr. Blaney urged passage of the resolution.

Wayne McIntosh, Public Access Producer, stated that this was a historic moment and thanked the Commission.

Sybil Boutilier thanked the Commission for their hard work and stated how pleased she is with the process.

President Jackson made special mention of Ms. Boutile participation in the moving this process forward.

Ellison Horne, President, Board of Directors, SFCTC, echoed the previous thank-you's and stated they were eager to move forward.

Joan Mathis, Public Access Producer, thanked the Commission and stated that this was a good beginning for Public Access.

David Miles, Board of Directors, SFCTC and Public Access Producer, stated that he used to be angry with the Commission, but now thanks them for their support of Public Access.

George Geevargis, Public Access Producer, thanked the Commission for their efforts.

Toeutu Faaleava, Public Access Producer, urged the Commission to pass the resolution, but suggested that more money be allocated to Public Access.

Aline Dinoia, Public Access Producer, hoped that change would now be brought about for Public Access.

b) Report on Public Access Questionnaire
(see attached Questionnaire results)

President Jackson briefly discussed the Public Access Questionnaire results handout.

Denise Brady, Deputy Director, stated that the results will be available on the Commission web site (www.ci.sf.ca.us/telecommunications_commission) on June 10, 1999.

- Comment: See Public Testimony.

- Public Testimony

Daryle Smith, Public Access Producer, stated that he felt that the majority of the original questionnaires were distributed at the special meeting and that the number of responses did not accurately reflect the producers concerns about Public Access.

In response to his comment, Ms. Brady stated that 150 questionnaires were mailed out from the TCI Public Access Producer's, SFCTC's and Telecommunications Commission's mailing lists. She felt the DTIS staff made a concerted effort in additional ways to reach out to the public for comment, which had until May 28, 1999 to respond.

She also stated that during the special meeting, the Commission heard from more than 20 people with comments regarding Public Access. She suggested that if anyone did not receive the questionnaire, but was interested in being on the Telecommunications Commission mailing list, to give their information to the Commission Secretary. She informed the public that although the deadline for the questionnaire was past, DTIS and the Commission were always interested in hearing comments from the public.

Joan Mathis stated that although she is on the mailing list, she did not receive a questionnaire.

In response to these public comments, Commissioner Masaoka stated that the written survey was not the only way that they are obtaining information from how Public Access Producers feel about Public Access.

3. Open Video System (OVS)

- Rules and Regulations for Processing Open Video System (OVS) Franchise Applications (Action Item – Continued from the May 24, 1999 regular meeting)

The Commission continued this item to the next regular meeting of the Telecommunications Commission, to be held on June 28, 1999, Room 400, City Hall, 5:30 p.m.

- Comment: None.
- Public Testimony: None.

4. Public Comment: None.

5. Adjournment

Vice President Ernest Jackson adjourned the meeting at approximately 6:18 p.m.

Respectfully submitted,

Kim B. Weisman, Commission Secretary

Department of Telecommunications and Information Services
City and County of San Francisco

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SPECIAL NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, June 28, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

Pursuant to the requirements set forth in Section 4.104 of the San Francisco Charter, the San Francisco Telecommunications Commission provides the following notice.

At the June 28, 1999 special meeting of the Commission, the Commission will address the following subject:

- The Rules and Regulations for Processing Open Video System (OVS) Franchise Applications.

A proposed draft of the Rules and Regulations are now available. The Commission may propose amendments to the proposed draft at the meeting and may adopt such rules and regulations in a resolution. You can obtain a copy of the proposed draft and proposed resolution by visiting the Commission web site (www.ci.sf.ca.us/telecommunications_commission) or the Government section of the Main Library, or by contacting the Commission Secretary, Kim Weisman, at 415/554-4443.

Please note that this item was first called at the regular monthly meeting of the Commission on May 24, 1999 and continued to the June 9, 1999 special meeting. The item was called at the June 9, 1999 special meeting and continued to the June 28, 1999 regular meeting.

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NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, June 28, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

1) CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

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2) APPROVAL OF THE MINUTES

- Adoption of the Minutes of May 24, 1999 regular meeting

a) Comment

b) Public Testimony

3) COMMUNICATIONS

- See attached description of correspondence

a) Comment

b) Public Testimony

4) **DIRECTOR'S REPORT**

Comment

a) Public Testimony

5) OLD BUSINESS

a) Public Access Budget Update

i) Comment

ii) Public Testimony

b) Telecommunications Plan Update

i) Timeline

ii) Public Outreach

(1) Comment

(2) Public Testimony

c) 415 Area Code Relief Update

(1) Comment

(2) Public Testimony

6) NEW BUSINESS

a) Rules and Regulations for Processing Open Video System (OVS) Franchise Applications (Action Item)

- Proposed Resolution

APPROVING AND ADOPTING PROPOSED COMMISSION RULES AND REGULATIONS FOR PROCESSING OPEN VIDEO SYSTEM (OVS) FRANCHISE APPLICATIONS, REQUESTING THAT THE SECRETARY FILE THE RULES AND REGULATIONS WITH THE CLERK OF THE BOARD OF SUPERVISORS, AND REQUESTING THE DIRECTOR TO INITIATE A COMPETITIVE PROCESS FOR AWARDING OVS FRANCHISES BY ISSUING A REQUEST FOR PROPOSALS (RFP) TO SOLICIT FRANCHISE APPLICATIONS.

i) Comment

ii) Public Testimony

6) **CALENDAR MATTERS**

a) Comment

b) Public Testimony

7) **PUBLIC COMMENT**

8) **ADJOURNMENT**

COMMUNICATIONS RECEIVED May 17 – June 21, 1999

1. Letter from Robert Rawley, dated May 17, 1999, asking for support of the San Francisco Community Television Corporation management of Public Access;

2. Letter from Catherine Knolls, dated May 17, 1999, regarding Public Access;

3. Letter from George Gaboury, dated May 18, 1999, regarding Public Access;

4. Letter from Sharon Ivie, dated May 26, 1999, asking for support of the San Francisco Community Television Corporation's management of Public Access;

5. An agenda for a SPUR meeting June 2, 1999; and

6. Notice from the World Foundation for Smart Communities regarding their December 8, 1999 conference in Sacramento, CA.

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DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 99-015

URGING THE BOARD OF SUPERVISORS TO DESIGNATE AUGUST 1, 1999 AS THE DATE THE CABLE TELEVISION FRANCHISE GRANTEE (TCI) SHALL TRANSFER MANAGEMENT AND CONTROL OVER THE PUBLIC ACCESS CHANNEL TO THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION (SFCTC) AND URGES THE BOARD OF SUPERVISORS TO ADD BACK $100,000 TO THE $1,378,000 INCLUDED IN THE MAYOR'S DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES (DTIS) BUDGET, BRINGING THE TOTAL PUBLIC ACCESS BUDGET TO $1,478,000 FOR THE PUBLIC ACCESS PROGRAM IN THE FISCAL YEAR 1999-2000 BUDGET PROCESS.

WHEREAS, the Cable Television Franchise Grantee, TCI, now currently manages the Public Access Channel; and

WHEREAS, in 1997 Section 27.3 of the San Francisco Cable Television Franchise was amended to allow for the transfer of control over the Public Access Channel from the Grantee to a not-for-profit corporation designated by the Board; and

WHEREAS, the Board of Supervisors has designated the San Francisco Community Television Corporation (SFCTC) as the organization to oversee management of the Public Access Channel; and

WHEREAS, the Franchise also requires the Board to designate by Resolution the effective date of the transfer of control of the Public Access Channel and DTIS, the SFCTC and TCI have targeted August 1, 1999 as the date to effect the transfer; and

WHEREAS, the DTIS Director formed a working group including two representatives from the SFCTC, two Telecommunications Commissioners, and DTIS staff to prepare and review a transition plan and related budget; and

WHEREAS, the SFCTC expects to manage the Channel for eleven months of

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Fiscal Year 1999/2000 and since this is the start-up year for the SFCTC's management of the Public Access Channel, all employees and services the SFCTC proposes to offer will not likely be available on August 1,1999; and

WHEREAS, the Telecommunications Commission acknowledges and thanks the Mayor for his commitment to the Public Access Channel by his allocation of 100% of the $472,000 Public Access, Education, and Government Channel Operating Grants, and 100% of the $771,000 PEG Equipment Grants and further, allocated $125,000 of interest accrued from the PEG grants solely to fund Public Access; and

WHEREAS, further review by the Department, working with the SFCTC and Commissioners Bonnie Engel and Ernest Jackson, has allowed the Commission to reconsider the costs and SFCTC's ability to swing into full scale operations in a sooner time-frame than was originally believed possible; and therefore be it

RESOLVED, that the Telecommunications Commission urges the Board of Supervisors to designate August 1, 1999 as the date the Cable Television Franchise Grantee (TCI) shall transfer management and control over the Public Access Channel to the San Francisco Community Television Corporation (SFCTC) and urges the Board of Supervisors to add back $100,000 to the $1,378,000 included in the Mayor's DTIS budget for the Public Access program, bringing the total Public Access budget to $1,478,000 for the Public Access program in the fiscal year 1999-2000 budget process.

Approved by the Telecommunications Commission:

Ayes: 4 [Jackson, Engel, Lira, Masaoka].

Nays: None.

DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 99-015

I hereby certify that the foregoing resolution was approved by the San Francisco Telecommunications Commission.

1 9 9 9 — K B Weisman

Date Approved — Kim B. Weisman, Commission Secretary

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES

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Public Access Questionnaire

On May 18, 1999, the Telecommunications Commission and DTIS held an open forum for Public Access producers and other interested parties to speak about issues relating to the interim location and services for the Public Access Channel. DTIS also produced a questionnaire for detailed written feedback.

The meeting and questionnaire were publicized through a press release to the San Francisco Chronicle and Examiner and several local bi-lingual language newspapers. In addition, notices were placed on the Commission's web site, at the Main library, and on the Public Access Channel. The questionnaire was available at the special meeting, the Main library, the Commission's web site, and by request from DTIS.

Of more than 150 questionnaires distributed by DTIS, 13 (.09%) were returned. Respondents were given a two-week period (May 14 – May 28, 1999) to respond; the majority of the questionnaire responses were received at the special meeting.

The following report contains the results of the Public Access survey.

875 Stevenson Street, Fifth Floor • San Francisco, CA 94103-0948
Office: (415) 554- 4443 • Facsimile: (415) 554-4731

Questionnaire Results

1. Training: What are your training needs (and)

   Basic training: 2
   Advanced training: 1
   One-on-one training: 1
   Remote and equipment:: 1
   Training for crew: 2
   Lighting, Mic-ing: 1
   Remote and non-linear editing, Internet video streaming: 1
   No response/did not answer question directly: 4

   ...how important is training to you?

   Very/extremely important:: 8
   Fairly important: 1
   No response/did not answer question directly: 4

2. Equipment Lending: How important to you and your productions is the ability to borrow remote production gear?

   Very important: 8
   Not important: 3
   Need for microwave transmission/remote sound: 1
   Unsure: 1

   Comments:

   "Need more and better equipment."
   "I have had to adjust my productions because I cannot trust the remote production gear that is available at this time...Thus, I do not even do any remote productions and am losing opportunities to create some very high quality shows."

3. Editing: How important to you is the availability of additional and improved editing equipment?

   Very/extremely important: 10
   Not applicable: 2
   No response: 1

   Comment:

   "Digital video editing equipment set up for all digital formats."

   Would you use editing equipment located at 25 Van Ness if the studio remained at 1855 Folsom?

   Yes: 6
   No response/did not answer question directly: 4
   Not applicable: 2
   Maybe: 1

4. Community Outreach: Do you believe that Community Outreach is a service important to the success of the Public Access Channel?

   Yes/very important: 10
   Yes: 2 ("but not in the mode of the present outreach")
   No: 1 ("because present outreach is not working")

5. Studio Production

   Main Studio: Do you care if large studio production remains at the 1855 Folsom studio and all other services, including editing, are provided at a different location?

   Yes: 4
   No: 4
   Important to retain the studio: 3
   Would like production and editing in the same location: 1
   Not applicable: 1

   Comments:

   "Best to keep all production facilities in a central location. Folsom location is not convenient."
   "1855 Folsom is barely accessible and needs far more control room space."
   "No – I don't care where the services are – as long as there are safe parking facilities."
   "We do need a separation of studio production from playback and from the editing room…The separation of these three areas does not necessarily need to be in actual different locations."
   "I want 1855 Folsom to remain there for parking…just need to improve equipment."

   Flash Studio:

   The CTC has proposed to create a Flash studio. How would the addition of a Flash Studio benefit you and your productions?

   No response/did not answer question directly: 5
   Don't know: 2
   Not applicable: 2
   Enables Producer to create show by self: 1
   As it relates to Internet-compatibility: 1
   Enables producer to create show with one or two crew members: 1
   Simple interviews: 1

   Comment:

   "Great Idea! I'm sure that this will have a long waiting list of people wanting to use this."

   Would a flash studio accommodate your productions?

   Yes: 6
   Don't know: 3
   No: 2
   Maybe: 1
   No response: 1

Would you use it?

Yes: 7
Too small for needs: 2
Maybe: 1
Probably too visually limited for production: 1
No response: 1
Don't know: 1

Comment:

"Yes! I would use a Flash studio – it's exactly what I need for my production. Please, please, create one! Thank you!"

Production Assistance: How important to you is dedicated technical assistance during production and post production work?

Very important/important/big help: 13

6. Internship Program: How important to your production is the availability of interns?

Very important/important: 10
Not important: 2
Not applicable: 1

Comments:

"If it helps in the playback quality monitoring and fine tuning."
"They don't do much to help – the mentoring is important."
"...availability of qualified interns would streamline production time."

7. Playback: Currently, Playback is located at 1855 Folsom with the Main Studio. It is possible that Playback could be moved to 25 Van Ness (Civic Center.) Do you care if Playback is moved from the production studio?

No: 5
Yes: 3
Would like them in the same location: 3
No response/did not answer question directly: 2

Comments:

"I hate the 1855 location because it's a long way for the bus. 25 Van Ness would be a more convenient locations...I'd prefer production and playback be in the same place."
"Not all productions are created in the studio because of copyright issues."
"The more room in the control room the better."

8. Which of the above services is most important to you? (note: in some cases, more than one response per person)

Editing Equipment: 3	Flash Studio: 3	Playback: 3	Training: 3
Better Equipment: 1	Community Outreach: 1	Digital Editing: 1	Internships: 1
Live Programming: 1	Main Studio: 1	Production: 1	Remaining at 1855 Folsom: 1
Studio Facilities: 1	Tech Assistance: 1	Technical Operations: 1	

Comments:

"You really need a good toaster/character generator."

"1855 Folsom because of parking and TCI staff helping producers like me."

Choose Between Option A and Option B:

No Response/Choice: 6

Option A: CTC would provide most of the above services in office space at 25 Van Ness (near Market Street.) Large studio production and possibly Playback Services would remain at the existing Public Access Studio at 1855 Folsom. Target date of transfer of management would be within a few months.

Yes: 1

Comment:

"All must be done - ...copyright issues – TCI now owns any tape produced in their studio."

Option B: Pursue space at 50 Oak Street for all seven services.

Yes: 6

Comments:

"A short 1 or 2 week delay is acceptable."

"A permanent home and the transfer from TCI is the only viable objective."

"I think it is most desirable to have services at same site, if possible."

SF
T30
#2
6/28/99

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MINUTES*

MONDAY, JUNE 28, 1999
CITY HALL

ROOM 400

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REGULAR MEETING
5:30 P.M.

COMMISSIONERS

E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka

Julia M. C. Friedlander
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES

* Subject to the approval of the Telecommunications Commission

Order of Business

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 5:37 P.M.

President Ellington called roll for the Commission.

Present: E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel, Commissioner

Excused Absences: John Lira, Commissioner
Jan Masaoka, Commissioner

2. Approval of the Minutes of June 9, 1999 Special Meeting

Commissioner Engel made a motion, seconded by Commissioner Jackson, to adopt the minutes of June 9, 1999. The Commission moved to adopt the minutes with three ayes [Ellington, Jackson, Engel], none opposed.

- Comment: None.
- Public Testimony: None.

3. Communications

President Ellington briefly reviewed communications sent to the Commission.

- Comment: None.
- Public Testimony: None.

4. Director's Report

Deputy Director Denise Brady reported that Acting Director Julia could not attend this meeting.

Ms. Brady presented Ms. Friedlander's monthly report, highlighting the Department's accomplishments on key priority projects since the last Commission meeting.

a) Budget

DTIS was extremely successful in this year's budget process. The DTIS budget as it was submitted by the Mayor and approved by the Board of Supervisors' Finance Committee increased DTIS' budget from $49.9 million in FY 1998-1999

to $64.1 million is FY 1999-2000. This is an increase of more than 28%. Among the newly funded items in the budget are the following:

- $1,418,500 for Public Access television;
- $250,000 for Government Access television;
- $200,000 for a mobile Public, Education and Government (PEG) production van;
- $3.1 million for technical support of the emergency 911 public safety system (covering 23.5 new full time equivalent positions plus non-personnel costs);
- $1.4 million in increased Citywide telephone usage charges;
- Funding through the City's Finance Corporation for 8 vehicles for the Network Facilities Division;
- $151,000 for a new project management and time entry system;
- $100,000 to cover recruiting expenses to help fill the Department's hard to fill positions;
- $1,000,000 for the upgrading of telephone switches;
- $200,000 to plan the Mayor's Center for Advanced Technology (MCAT)(Brooks Hall);
- $2.25 million for the Citywide Y2K Project Management Office (PMO); and
- $1.79 million for the Court Management System (CMS) replacement project.

Overall, DTIS received full or partial funding for 71% of the 21 enhancement requests we submitted. Ms. Brady noted that DTIS' new Deputy for Administration, Kathryn Hile, deserves enormous credit for this success.

b) AT&T/TCI Merger

Staff from Ms. Brady's Policy, Planning and Compliance (PP&C) Division continued to support negotiations between the City and AT&T/TCI regarding the transfer of the cable television system. Amended legislation was heard at the Board of Supervisors' Public Utilities and Deregulation Committee (PU&D) on June 23, 1999 and will be discussed by the full Board of Supervisors in closed session on July 6, 1999.

c) Open Access

With increased public interest in the issue of competitive access to the company's cable modem platform, staff of the PP&C Division also participated in discussions of the open access issue in various forums here in San Francisco, as well as in Chicago, Sacramento, and Washington, D.C. These discussions have included representatives from the ISP industry, the cable television industry, the FCC, the State Legislature, and consumer groups.

d) Wiring Activity

Staff of the Network Facilities Division completed installation of new LAN wiring

for 162 workstations serving the Department of Human Services.

e) New Applications

Staff from the Applications Development Division completed installation of a new airfield operations parking reservation system. This is a PC based system which keeps track of the parking and storage of aircraft at SFO. The system became a critical need because of the expansion and construction at the Airport requires very careful orchestration for the parking of aircraft.

This staff also finished helping the Sheriff's Department migrate their old non-Y2K compliant mainframe Civil Accounting System to a new PC/LAN based system. This system keeps track of subpoenas, evictions, garnishees and other civil documents and fees.

In addition, this staff also completed work on a new Ethics Commission Campaign Filing System. This system will allow campaign organizations to file their required reports with the Ethics Commission over the Internet. Campaign committees will also be able to print the required state Fair Political Practices Committee (FPPC) forms via the Internet and submit signed copies to the Commission.

- Comment

Vice President Jackson inquired about whether the project management and time entry system was Citywide or only for DTIS. Ms. Brady stated that she believed it was for DTIS.

Commissioner Engel asked for clarification on the 71% of the 21 enhancements that were funded in the budget. Ms. Brady stated that all mission critical requests were funded.

- Public Testimony: None.

5. Old Business

a) Public Access Budget Update

Deputy Director Denise Brady stated that following its approval at the last Telecommunications Commission meeting, Resolution #15 was immediately forwarded to the Board of Supervisors, which requested an additional $100,000 in funding for Public Access. This funding request was not approved by the Finance Committee; the budget has been approved as originally submitted by DTIS and will now be forwarded to the Board of Supervisors for final approval.

- Comment

President Ellington extended his apologies to Zane Blaney, CEO, San Francisco Community Television Corporation (SFCTC), stating that the Commission had supported the additional funding and expressed his disappointment that it was not approved.

- Public Testimony: None.

b) Telecommunications Plan Update

Ms. Brady stated that DTIS has met twice with Commissioners Ellington and Masaoka regarding the timeline and the public participation proposal for the Telecommunications Plan (see attached.) She added that the Commissioners' input was very helpful in revising this portion of the plan.

- Comment

In response to President Ellington's question, Ms. Brady stated the public can contact DTIS with their comments and responses to the timeline and public participation proposal via the Commission Secretary, Kim Weisman, through email (Telecommunications_Commission@ci.sf.ca.us) or by phoning 415/554-4443. The documents can be viewed on the Commission web site at: "www.ci.sf.ca.us/Telecommunications_Commission".

President Ellington encouraged the public to submit their comments to DTIS.

Vice President Jackson asked about the Telecommunications Plan delivery date of April 10, 2000 to the Commission, inquiring if there was contingency built into the timeline plan in case the date needed to be pushed back. Ms. Brady stated that the only contingency was over the next three weeks, when DTIS will be working on delivery of the City's internal needs assessment (Request for Proposal (RFP)).

Vice President Jackson inquired about the strategy. Ms. Brady stated that a draft RFP has been delivered to the Civil Service Commission for approval and that the RFP has been funded. Ms. Brady's staff will be working on the RFP, with help from other divisions. The project manager will be Ms. Brady.

In response to President Ellington's question, Ms. Brady stated that DTIS would welcome feedback at any time, but asked the public to keep two dates in mind: policy questions will be compiled in November, 1999 and roundtable discussions will be held in December, 1999. Ms. Brady encouraged the public to continue to monitor the Commission site for new developments and to contact DTIS with their comments.

- Public Testimony: None.

c) 415 Area Code Relief Update

Ms. Brady stated that this agenda item was a result of a resolution that was presented to the Board of Supervisors by Supervisor Kaufman and Supervisor Leno this afternoon. Their resolution was in response to the California Public Utility Commission (CPUC) approving a 415 area code overlay, which requires 11 digit dialing. Based on the public's opposition, the CPUC has temporarily suspended the approval of an overlay in Los Angeles. This resolution asks, among other things, that the overlay be suspended in the 415 area code as well. Ms. Brady briefly discussed the Kaufman/Leno resolution.

- Comment

President Ellington called for this item to be continued to the regular July Commission meeting.

Commissioner Engel urged DTIS to follow-through with the action requested in the Supervisors' resolution. Vice President Jackson concurred.

President Ellington asked for a letter to be sent to the Board of Supervisors in support of the Kaufman/Leno resolution on behalf of the Commission.

- Public Testimony: None.

6. New Business

- Rules and Regulations for Processing Open Video System (OVS) Franchise Applications (Action Item)

President Ellington asked for this item to be continued to the regular July Commission meeting.

- Comment: None.

- Public Testimony

Sue Levitin, representing AT&T/TCI, briefly discussed their views regarding OVS and submitted a letter to the Commission regarding this issue.

7. Calendar Matters

President Ellington asked for elections of the Commission President and Vice

President be scheduled at the July 26, 1999 meeting.

Vice President Jackson requested an update on how staff resources will be allocated for completion of the Telecommunications Plan, in light of other departmental projects.

- Comment

Vice President Jackson asked if there is a "point-person" amongst the Supervisors on telecom issues. Ms. Brady stated that Supervisor Ammiano currently chairs the Public, Utility and Deregulation (PU&D) Committee, where most telecom issues are heard prior to going to the full Board of Supervisors, but all of the Supervisors have shown an interest in telecom issues.

Commission Engel asked about the PU&D's Committee request that DTIS go back to the negotiating table with AT&T/TCI regarding the open access issue. Ms. Brady stated that her staff will be handling this negotiation. She also informed the Commission that the PU&D Committee has requested that the City Attorney's office give a closed session briefing to the Committee on July 6, 1999 on this issue.

In response to this, President Ellington requested an update on the AT&T/TCI open access issue, as well as a closed session briefing from the City Attorney's office at the July 26, 1999 Commission meeting.

At the request of Ms. Brady, Vice President Jackson stated that he would provide DTIS with his comments on the draft REP and will speak with President Ellington regarding a greater role of the Commission in developing the Telecommunications Plan.

In response to this, President Ellington asked for a plan on how each Commissioner could play a role in and supervise a portion of the Telecommunications Plan.

- Public Testimony

8. Public Comment: None.

9. Adjournment

President E. David Ellington adjourned the meeting at approximately 6:17 p.m.

Respectfully submitted,

Kim B. Weisman, Commission Secretary

TELECOMMUNICATIONS PLAN
PUBLIC PARTICIPATION PROPOSAL

Public participation in determining and validating the Telecommunications Plan of San Francisco's citizens is an essential ingredient to the overall success of the Plan. DTIS envisions the public's direct involvement in reviewing the preliminary findings, validating residential needs, sharing thoughts and ideas, and exchanging information. Attitudes, opinions, and preferences are factors that must be considered in whatever recommendations are advanced for approval.

Proposed Public Process

1 - Telecommunications Plan Website
- Develop dedicated Telecommunications Plan website that would include information on the project, dates of meetings, and some type of interface to allow public input electronically.

2 - Early Input Roundtable Process
- Open policy questions will be developed from initial research findings and DTIS analysis.
- DTIS and Commissioners will invite interested parties to roundtable advisory meetings to solicit input on policy questions.
- Roundtables will consist of representatives from community interest groups such as: service providers, MMTF, SPUR, BOMA, non-profit organizations, neighborhood organizations, etc.
- General public will be invited to observe roundtable discussion and provide public comment at the end of the discussion.

3 - Draft Telecommunications Plan
- DTIS will analyze all completed research and consider input from roundtable discussions.
- DTIS will create a Draft Telecommunications Plan that includes proposed policies.
- Commissioners will work with DTIS closely on the Draft Plan.

4 - Public Feedback Panels
- A series of widely publicized, open, interactive public panels will be conducted to discuss the Draft Telecommunications Plan including proposed policies.
- Panel will consist of Telecommunications Plan representatives - including Commissioners, DTIS and possibly consultants - who will present the Draft Telecommunications Plan to the public.
- Public will have the opportunity to comment, make recommendations, and provide additional information in a facilitated interactive discussion.

5 - Finalize Telecommunications Plan
- After considering public feedback, DTIS will finalize the internal Telecommunications Plan document.
- Finalized Plan will be forwarded to the Telecommunications Commission.
- Commissioners will work closely with DTIS to finalize Plan.

7 - Telecommunications Commission Special Meetings
- DTIS will present Plan to the Commission.
- Citizens and interested parties have the opportunity to comment on the Plan.
- Commissioners may take action by requesting additional work on the Plan, introducing amendments, and/or approving the Plan.

8 - Approved Telecommunications Plan forwarded to Board of Supervisors

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[Area Code Reform]

URGING THE DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES (DTIS) AND THE CITY ATTORNEY TO FILE A PETITION WITH THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) REQUESTING THAT THE IMPLEMENTATION OF THE APPROVED 415 OVERLAY AREA CODE RELIEF PLAN THAT WOULD REQUIRE ELEVEN DIGIT DIALING BE POSTPONED AND URGING THE FEDERAL COMMUNICATIONS COMMISSION, THE CPUC AND THE STATE LEGISLATURE TO SUPPORT MEASURES DESIGNED TO PROMOTE AREA CODE REFORM.

WHEREAS, The demand for new area codes in California has been explosive; and

WHEREAS, During 1997 and 1998, ten new area codes were implemented in California and five more area codes are scheduled to be implemented over the next two years; and

WHEREAS, Planning for an additional nine area codes is currently underway and some area codes in California now face a third round of area code relief; and

WHEREAS, California will open its twenty-sixth area code later this year and to meet the demand for numbers without implementing any conservation

SUPERVISORS KAUFMAN, LENO

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measures will require fifteen more area codes by the end of 2002, bringing the total number of area codes in the state to forty-one; and

WHEREAS, As a result of this growth, the California Public Utilities Commission (CPUC) realized the need to develop a statewide policy for implementing new area codes in a competitively neutral manner while minimizing cost and disruption to the public; and

WHEREAS, In order to accomplish this goal, the CPUC instituted a rulemaking in December 1998 to consider the following policy options, (1) the use of geographic splits, where the area is split into two regions with one region keeping the existing area code and the other region receiving a new area code; (2) the use of overlays, when an area code is added to an area and both the new overlay area code and the previously existing area code serve the same area simultaneously; or (3) some combination of these two options; and

WHEREAS, The current 415 area code covers San Francisco and Marin counties; and

WHEREAS, In April 1998, customers in the 415 area were informed that another area code would need to be implemented; and

WHEREAS, The telecommunications industry planning team held two meetings in San Francisco in order to discuss the options of area code overlay and geographic split; and

SUPERVISORS KAUFMAN, LENO

WHEREAS, In December 1998 the industry team submitted an area code relief plan recommending the overlay to the CPUC as it was the plan favored at the public meetings; and

WHEREAS, In December 1998 the San Francisco Board of Supervisors passed a resolution supporting an area code overlay over a geographic split if area code relief was necessary; and

WHEREAS, On April 1, 1999 the CPUC approved an overlay for the 415 area code which is scheduled to begin on October 21, 2000; and

WHEREAS, As a result, on July 24, 2000, callers will be forced to dial eleven digits for all calls within the current 415 area code region in order to treat all callers within the overlay region equally with respect to dialing arrangements; and

WHEREAS, Mandatory dialing of eleven digits and the imposition of an overlay plan will cause significant hardship and loss of geographic identity for residents and businesses located in the 415 area code; and

WHEREAS, In July 1999 an area code overlay of 424 was planned for West Los Angeles in the 310 area code; and

WHEREAS, A petition to stop the implementation of this overlay in West Los Angeles was filed with the CPUC; and

WHEREAS, The petitioners, comprised of residents, business owners and social service providers located in the 310 area code, feel that the overlay plan should be halted until both federal and state regulatory bodies currently

studying this issue have had the opportunity to make other recommendations; and

WHEREAS, On June 24, 1999, the CPUC temporarily suspended the implementation of the new 424 area code overlay in order to review the concerns submitted by the petitioners and advised that they expect to reach a decision on whether to rescind the 424 overlay soon; and

WHEREAS, The City and County of San Francisco should actively support various movements at the federal and state levels which focus on the root of the area code exhaustion problem; and

WHEREAS, The Federal Communications Commission (FCC) adopted a Notice of Proposed Rulemaking on May 27, 1999 to consider a variety of measures intended to increase the efficiency with which telecommunications carriers use telephone numbers in order to develop comprehensive solutions to the numbering exhaust problem; and

WHEREAS, The FCC's notice builds upon efforts of the North American Numbering Council, a federal advisory committee composed of industry members, regulatory entities and consumer groups, as well as on the efforts of state public utilities commissions; and

WHEREAS, Currently, because of the way the telephone network routes calls, telephone numbers are allocated to each carrier in blocks of 10,000 for each geographic area or rate center to be served even though all of the numbers may

not be needed and many telecommunications service providers may use significantly less that fifty percent of the numbers allocated to them; and

WHEREAS, California has 190 competitive local telephone companies and 56 wireless firms, all of which need to assign numbers to their customers; and

WHEREAS, Due to the fact that numbers are now allocated in blocks of 10,000 per rate center and there are 800 rate centers in the state, a carrier seeking to provide service statewide in California would need eight million numbers to begin offering service; and

WHEREAS, Number pooling, one measure proposed by the FCC, allows service providers in a given area to receive numbers in smaller blocks such as 1000 which may significantly increase the efficiency with which numbers are used; and

WHEREAS, The FCC is also considering new guidelines governing number allocation such as tying the allocation of numbers to a showing of need by the service provider so that service providers will request numbers only when they need them and return numbers they no longer need so others can use them; and

WHEREAS, A month before the FCC issued its Notice of Proposed Rulemaking, the CPUC asked the FCC to waive key federal rules in order to provide the CPUC with additional tools to bring the "number crisis" facing the state under control; and

WHEREAS, The CPUC's petition to the FCC seeks authority without which the CPUC cannot act to effectively deal with the number crisis facing California; and

WHEREAS, If granted, these waivers would allow the CPUC to oversee the allocation of telephone numbers to companies more efficiently by implementing a mandatory number pooling trial, to order carriers to return unused prefixes and portions of prefixes, and to consider assigning area codes to specific technologies such as pagers, fax machines and modems; and

WHEREAS, In addition to efforts by the FCC and CPUC to deal with the issue of numbering exhaust, AB 818, sponsored by Assemblyman Wally Knox and currently pending in the State Legislature, would require the CPUC to take several measures to alleviate the rate of area code exhaust and slow the creation of new codes; and

WHEREAS, Specifically, the bill would direct the CPUC to (1) develop and implement number conservation measures for telecommunications providers; (2) seek authority from the FCC to be able to take other measures; and (3) conduct an audit of number use rates; and

WHEREAS, Due to the importance of this issue, the CPUC has planned a series of roundtables and public hearings on area code policy throughout the state this summer; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the Department of Telecommunications and Information

Services (DTIS) and the City Attorney to file a petition with the CPUC requesting that the implementation of the approved 415 overlay area code relief plan that would require eleven digit dialing be postponed; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco suggests that the CPUC investigate the possibility that an overlay area code in the 415 region be used for technology specific services such as cellular telephones, pagers, fax machines and modems in order to prolong the availability of 415 numbers for businesses and residents of San Francisco and to avoid mandated eleven digit dialing within the 415 area code; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the Federal Communications Commission to adopt new rules and regulations governing the allocation of telephone numbers; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports the California Public Utilities Commission's request for a waiver from the Federal Communications Commission in order to give the state more flexibility in allocating telephone numbers; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the State Legislature to pass and Governor Davis to sign AB 818, designed to conserve telephone numbers and preserve area codes.

SUPERVISORS KAUFMAN, LENO

Department of Telecommunications and Information Services
City and County of San Francisco

SPECIAL NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, July 26, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

Pursuant to the requirements set forth in Section 4.104 of the San Francisco Charter, the San Francisco Telecommunications Commission provides the following notice.

At the July 26, 1999 regular meeting of the Commission, the Commission will address the following subject:

- The Rules and Regulations for Processing Open Video System (OVS) Franchise Applications.

A proposed draft of the Rules and Regulations are now available. The Commission may propose amendments to the proposed draft at the meeting and may adopt such rules and regulations in a resolution. You can obtain a copy of the proposed draft and proposed resolution by visiting the Commission web site (www.ci.sf.ca.us/telecommunications_commission) or the Government section of the Main Library, or by contacting the Commission Secretary, Kim Weisman, at 415/554-4443.

Please note that this item was first called at the regular monthly meeting of the Commission on May 24, 1999 and continued to the June 9, 1999 special meeting. The item was called at the June 9, 1999 meeting and continued to the June 28, 1999 regular meeting. The item was called at the June 28, 1999 meeting and continued to the July 26, 1999 regular meeting.

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Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, July 26, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

1) CALL TO ORDER AND ROLL CALL

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E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

2) SPECIAL ORDER: CLOSED SESSION

- Conference with City Attorney – Open Access Issue

[Convene in Closed Session]
Motion that the Telecommunications Commission convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the city Attorney as permitted by Government Code Section 54956.9(a) regarding the following litigation:

[Potential Litigation]
Potential litigation as plaintiff regarding the merger of TCI and AT&T, as permitted by Government Code Section 54956.9(a).

Question: Shall this Motion be adopted?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Secretary of the Commission to report the vote taken on any motion in the closed session.

After a closed session, if one occurs, the Commission shall adopt a motion either to disclose or not to disclose.

[Elect Not to Disclose]
Motion that the Commission finds that it is in the best interest of the public that the Commission elect at this time not to disclose its closed session deliberations concerning the above matter.

[Elect To Disclose]
Motion that the Commission finds it is in the public interest to disclose information discussed in closed sessions, and directs the President immediately to disclose that information.

a) Comment

b) Public Testimony

3) APPROVAL OF THE MINUTES

- Adoption of the Minutes of June 28, 1999 regular meeting

a) Comment

b) Public Testimony

4) COMMUNICATIONS

- See attached description of correspondence

a) Comment

b) Public Testimony

5) **DIRECTOR'S REPORT**

a) Comment

b) Public Testimony

6) OLD BUSINESS

a) Telecommunications Plan Update

- Media Connections Group (MCG) Presentation: Results of the 1999 Survey of Residents on Telecommunications Issues.

(1) Comment

(2) Public Testimony

b) 415 Area Code Update

(1) Comment

(2) Public Testimony

7) NEW BUSINESS

a) Cable Television System Overbuild
(Rules and Regulations for Processing Open Video System (OVS) Franchise Applications (Action Item))

- Proposed Resolution

APPROVING AND ADOPTING PROPOSED COMMISSION RULES AND REGULATIONS FOR PROCESSING OPEN VIDEO SYSTEM (OVS) FRANCHISE APPLICATIONS, REQUESTING THAT THE SECRETARY FILE THE RULES AND REGULATIONS WITH THE CLERK OF THE BOARD OF SUPERVISORS, AND REQUESTING THE DIRECTOR TO INITIATE A COMPETITIVE PROCESS FOR AWARDING OVS FRANCHISES BY ISSUING A REQUEST FOR PROPOSALS (RFP) TO SOLICIT FRANCHISE APPLICATIONS.

(1) Comment

(2) Public Testimony

b) Telecommunications Commission Officer Elections (Action Item)

(1) Presidential Election

(a) Comment

(b) Public Testimony

(2) Vice Presidential Election

(a) Comment

(b) Public Testimony

8) CALENDAR MATTERS

a) Comment

b) Public Testimony

9) PUBLIC COMMENT

10) ADJOURNMENT

COMMUNICATIONS RECEIVED June 21 – July 19, 1999

1. Letter from Sue Levitin, Director, Government Relations, TCI, dated June 28, 1999, regarding the rules and regulations for processing Open Video System (OVS) franchise applications;

2. Newsletter from AT&T, dated Friday, July 2, 1999, regarding broadband issues;

3. Brochure from the World Forum of Smart Communities, September 20-22, 1999, Chicago, Illinois;

4. Invitation to a San Francisco Police Department fundraising event on August 14, 1999; and

5. Letter from Linda Crayton, Director, Government Affairs, dated July 16, 1999, inviting the Commissioners to be AT&T's guests at the Federal Communications Bar Association Northern California Chapter Luncheon on Tuesday, July 20, 1999, with guest speaker FCC Chairman William Kennard.

SUNSHINE ORDINANCE

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<DRAFT>
Results of the 1999
SURVEY OF RESIDENTS ON TELECOMMUNICATIONS ISSUES

July 1999

Prepared for the
Department of Telecommunications and Information Services

by

The Public Research Institute, San Francisco State University
James W. Newton, Genevieve Ste-Marie, Michelle Marzullo, Holley Shafer
Mark Breshears, Arielle Goldberg, Augustine Enrique

In collaboration with Media Connections Group
Edward G. Liebst, Jr.

Valuable contributions to this project by DTIS staff members Kenneth Tashian and Denise Brady are gratefully acknowledged.

JUL-22-1999 16:19 FROM CONTROLLERS I S D TO 95574475 P.17

EXECUTIVE SUMMARY

DTIS Survey

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WIRELESS TELEPHONE SERVICE - USAGE AND SATISFACTION .....
CABLE TELEVISION - USAGE AND SATISFACTION .....
SATELLITE TELEVISION - USAGE AND SATISFACTION .....
PERSONAL COMPUTER USAGE .....
INTERNET - USAGE AND SATISFACTION .....
CITY SERVICES .....
DEMOGRAPHICS .....

APPENDIX A- TELECOMMUNICATIONS AND COMPUTER USE (CONTROLLER'S SURVEY, 1999) .....

APPENDIX B- DTIS QUESTIONNAIRE .....

APPENDIX C- CODEBOOK OF QUESTIONS AND FREQUENCY TABLES OF RESPONSES .....

APPENDIX D- UNCATEGORIZED RESPONSES .....

About the Survey

As part of its Telecommunications Plan, the San Francisco Department of Telecommunications and Information Services (DTIS) engaged Media Connections Group to assess San Francisco residents' needs, utilization of services, and satisfaction with services. The information gathered will play an important role in guiding the development of the City's Telecommunications Plan.

The Public Research Institute (PRI) at San Francisco State University conducted a random telephone survey in which it polled 535 households in the City and County of San Francisco. The survey topics and questions were developed by PRI under the guidance of DTIS. The survey is distinguished by a number of characteristics. It endeavors to assemble and present data as an objective party without the bias sometimes associated with commercially sponsored surveys. It was conducted with a sample of 535, enabling the survey company to achieve a sampling error of proportions of approximately 4% at the 95% confidence level. Finally, it was conducted in English, Spanish, Cantonese and Mandarin. This unusual step was taken to improve the reach of the survey into population segments of the City that are often not included in such data gathering projects because of language barriers.

The survey of San Francisco households was conducted to learn two types of information: the characteristics of residential telecommunications service and technology usage and satisfaction with those transactions. The usage was investigated in eight specific services and technologies including wireline phone, wireless phone, pagers, cable television, satellite television, fax, personal computers and Internet. Of these, wireline phone, wireless phone, cable television, satellite television, and Internet were measured for relative consumer satisfaction. Because of the general lack of knowledge about Internet usage, satisfaction and trends, the Internet segment received more attention than the other services.

Service Usage

In order to summarize the usage of the eight services, the following Table A was assembled. Several observations can be made from these data. First, computer penetration into the market has reached almost two thirds of the households, comparable to cable television penetration. Cable television penetration exceeds our expectations and approximates the national average. Fax machines, long thought of as equipment predominantly found in commercial applications, have entered almost as many homes as cellular phones. Pagers are widely used but still remain a lesser penetrated service. Although satellite television is approximately half the national average, it has slightly higher penetration than we anticipated for a dense metropolitan area. Internet usage is 49%, less than found in some suburban Bay Area communities, but high for a city as large and diverse as San Francisco. Viewed from a different perspective, Internet penetration is equal to that of cellular phones, a more mature service.

Table A

Service or Equipment Used	Percentage of Households Using or Subscribing (total respondents)
Wireline phone	100% (535)
Personal computers	64% (535)
Cable television	64% (534)
Internet access from residence	49% (535)
Cellular or PCS phones	48% (535)
Fax machines	43% (530)
Pagers	34% (535)
Satellite television	5% (531)

In addition to the inquiry about the above services, telephone line usage was investigated. All respondents to this telephone survey had at least one voice line, of course. Beyond the basic single voice line, 42% of respondents had multiple phone lines serving their households and over 10% had more than two lines. This is a moderate to high level of usage of multiple lines and consistent with other communities that have high demand for telecom services.

As noted above, the survey was designed to interpret the telecommunications needs of the community as a whole. However, it gathered information about the respondents that enables us to consider the responses from different perspectives of gender, age, income, race/ethnicity, and education.

Usage of telecommunications equipment including computers and fax machines was highly correlated to some of these demographic characteristics. In particular, computer ownership was positively correlated to income and education. Race and ethnicity was also a significant predictor of some equipment and service usage. Computers are owned by significantly more whites and Asians than Latinos/Hispanics and African-Americans. This is particularly interesting in light of one of the "attitude" questions asked later in the survey. As a group, Latinos/Hispanics most often said that Internet access is very important for educational and employment opportunities for adults, in spite of their relative lack of computer equipment at home.

Cable television subscription is most common in African-American and Latino/Hispanic audiences while not consistently correlated to income, age, or education. Wireless services of phone and particularly pagers follows similar patterns, with these two groups showing higher service usage correlation than any other race/ethnic group.

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Telephone demand had few differences among demographic groups, except in the purchase of multiple phone lines, which were highly correlated to income. Finally, across all telecommunications equipment and service usage, gender had little correlation.

Service Satisfaction

Beyond learning the residential usage levels of telecom equipment and services, a core objective of the survey was to determine the satisfaction of the users with the services available in San Francisco. Admittedly, satisfaction is difficult to measure and particularly difficult to express in relative measurements. The survey was designed to ask similar questions about each of the existing telecom services to the extent they were relevant to the different services. This enables the survey to give an absolute value to a specific service offered and it also enables the service satisfaction to be compared to other services with similar standards and expectations. For example, each respondent was asked if they had " problems" with the present household delivered services of wireline telephone, wireless telephone, cable television, satellite television and Internet access. Their specific answers give a qualitative sense of satisfaction, but the comparison of their answers puts a context and ranking to the same data.

In addition to direct or yes/no questions, a four-point scale, ranging from Very Satisfied to Very Dissatisfied, was used to assess the overall satisfaction with service provided in each of the categories listed above. For summary purposes, we accept Very Satisfied and Somewhat Satisfied to represent a positive response, while responses of Somewhat Dissatisfied and Very Dissatisfied are considered negative.

Table B summarizes and compares respondent satisfaction with various components of service. The percentages measure the number of satisfied customers over the total number of customers to each service.

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Table B

Service Type	Overall Satisfaction	Cost	Reliability	Service Response
Wireline Phone	89%	86%	86%	97%
Wireless Phone	86%	86%	65%	99%
Cable Television	75%	74%	95%	95%
Satellite Television	96%	96%	92%	96%
Internet Service Provider	81%	94%	89%	98%

Wireline Telephone Service

Of 535 respondents, 89% consider their present household phone service satisfactory and more than half of these found it very satisfactory. We regard a 90% satisfaction level with essential and daily used services as an excellent report. Specific service areas probed by the survey include cost, reliability, installation, response to maintenance calls and billing. The responses range from 99% satisfaction with installation to 86% satisfaction with cost of service. The concentration of satisfaction between 99% and 86% further suggests the overall high level of satisfaction of the San Francisco consumer with residential phone service.

Wireless Telephone Service

Of 242 respondents, 86% indicated satisfaction with wireless (cellular or PCS) service. Given the relative newness of wireless service, 86% is another high level of consumer satisfaction. While wireless does not have the same universal usage as wireline phone and therefore does not have the same broad range of consumers it must satisfy, we are impressed that cellular and PCS have provided such a creditable service to San Francisco. The level of price satisfaction among wireless service users is a surprising result. Over 86% have no problem with the cost of the service. Again, this should be considered in light of its 48% penetration of the market, as measured by the survey. If the same affordability question had been asked of respondents who do not receive wireless service, the answer might have been different.

The lowest category of satisfaction among wireless users was attributed to the reliability of the service. As would be expected, the call drops and signal loss of the service remains a significant irritant to cellular customers. Given the otherwise high level of service satisfaction for wireless phone service in San Francisco, the reliability issue may deserve some future analysis. It is possible that the antenna limitations in force in certain parts of the City are responsible for the reliability concerns expressed by an otherwise satisfied customer base.

Cable Television Service

Of the 535 survey respondents, 342 or 64% subscribe to cable television service. This is a slightly higher penetration than many urban areas experience. Satisfaction with the service is at the low end of the range when compared to the other services investigated in the survey. 75% indicated overall satisfaction with their cable service. However, the overall results are somewhat inconsistent when compared to specific complaints about elements of cable service. When asked about problems with cost, reliability, installation, response to maintenance calls and billing practices, the only category with more than 25% dissatisfaction was price. Otherwise, no single problem was cited by more than 15% of the respondents.

Satellite Television Service

Satellite television service to the home, also called DBS, is still a young service and not well penetrated in San Francisco. Only 30 households in our sample of 535 subscribe to DBS. As noted in the introduction of this summary, 5.6% is a higher penetration than we had expected in San Francisco. Given the relatively high penetration of cable service in our sample, the 5.6% is all the more surprising. However, 30 respondents represent a small sample from which to draw firm conclusions. As a result, in this analysis, we consider the DBS results informative but not definitive. Satisfaction with the service was 96%. Billing, cost and picture quality were found to be a problem by 8% or fewer of the respondents. The other categories of complaint did not have sufficient responses to merit measurement.

Internet Service Providers

The service category of Internet service providers (ISP's) was included among the other service providers surveyed even though it is a fragmented industry and ISP's are not owners of the underlying network that delivers their service. These differences may have an impact on the comparability of some of the characteristics of service among other telecom carriers.

The survey identified six significant ISP's serving San Francisco. Over 53% of ISP subscribers in households with only one service list AOL as their ISP. Other major ISP's include Pacific Bell, Microsoft Network, AT&T, Earthlink and Sirius. The largest segment of the ISP population pays about $20 per month and the average cost among the entire population is also about $20 per month.

Of the 175 respondents who subscribe to an ISP, 81% indicated they were satisfied with the overall service. When asked about the details of service, over 94% had no problems with cost; a significant 34% had problems with access speed; 19% had problems getting connected; and 11% had problems being disconnected prematurely. Such problems are to be expected for a new industry with numerous entrepreneurial companies fighting for a share of a fast-growing market. In general, the ISP market is perceived to be fairly priced, under-powered in terms of access speed, and still suffering from immature technology and operating systems. Remarkably, the consumer remains more satisfied with the overall performance of its ISP than its cable operator.

Internet

The survey dedicated a large share of its time to the gathering of data about the Internet. While ISP's are discussed above among service providers, the survey also dealt with Internet usage and demand in San Francisco. Because this is a young and relatively unknown industry segment, the emphasis is appropriate.

Internet Usage

Of the 345 respondents in the survey who have personal computers at home, 77% access the Internet from home. 86% of respondents reach the Internet through dial-up modems; 2% through ISDN and DSL; and .7% through wireless modems (the unaccounted for connections are of those not sure how their computers are connected). This sharing of the residential data market is consistent with our expectations for San Francisco where there was a recent launch of DSL service and where cable modems are not yet available. In effect, the high speed data market was under-served at the time of the survey. As DSL becomes available to more homes in San Francisco and upon the future launch of cable modems by AT&T the market shares should look substantially different, subject to the price/value relationship placed on high speed service by local users.

The survey reports 93% of ISP users find their service affordable and 81% are generally satisfied with its overall performance. In the same sample, 34% of ISP users are not satisfied with the speed of their Internet access service. This is higher than in some other Bay Area markets, but not necessarily indicative of the market opportunity for high speed data providers. High speed carriers will first try to serve the dissatisfied segment of the market and then appeal to customers where speed is a preference but not a necessity.

The City is interested in the reasons people use the Internet. The survey inquired about 12 categories or purposes. They are listed below in the order of usage.

Table C

Internet Applications	Frequency of Use
E-mail	98%
Browsing for information and services	88%
Education	83%
Taking work home from office	66%
Entertainment	59%
Shopping	53%
Banking	34%
Business located at residence	30%
Chat groups	30%
Investment information	5%
News	3%
Research	3%

San Francisco City Cable Channels

As part of its franchise with its local cable operator the City and County of San Francisco broadcasts three channels to all cable subscribers in the City. The survey attempted to determine the level of awareness, viewership, and programming preferences about the channels within the City. Using the entire sample of 535, not just cable subscribers in the sample, the survey reports that approximately 42% of the City's households had someone watch the channels during the past 12 months. If more programming were to be offered, the three preferred choices were ranked as follows:

- Educational television - 79%
- Programs made by amateur producers - 65%
- More government programs, e.g. public meetings - 38%

Controllers' 1999 Citizens Survey

Each year the San Francisco Controller's office conducts a written survey distributed randomly to City residents. In 1998 and 1999 the survey included a few questions about telecommunications issues. In 1999 the Controller asked four principal questions about telecommunications service and computer usage. The summary findings are located in Appendix C of this report.

The Controller's survey found that 68% of San Francisco households have a personal computer. This compares to a 64% positive response to the same question in the phone survey. Use of the Internet from home showed a different relationship with 60% of the Controller's survey versus 49% of the phone survey indicating use of the Internet from home. (The difference is probably due to the use of a mail survey in which follow-up questions are some times ignored by a respondent when they believe the new question is moot after answering the previous one.) The number of phone lines to the home had almost exactly the same response between surveys. In both cases, about 60% of San Francisco households have one telephone, 30% have two and 11% have three or more.

The Controller's survey inquired about use of Internet to conduct business with the City. It offered eight transaction choices. The following percentages represent affirmative responses to the question: "Would you like to do any of the following business with the City over the Internet?"

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Table D

Transaction	Response of "Yes"
Pay parking tickets	39%
Buy a Muni pass	35%
Apply for a City job	34%
Pay water bill	29%
Apply for a business license	23%
Pay property taxes	23%
Apply for a building permit	21%
Buy a dog license	18%

Paying parking tickets was the most frequently identified transaction, followed closely by purchase of Muni passes and applications for City jobs. These uses were of interest to 39% to 34% of respondents. The other five choices had interest ranging from 29% to 18% of respondents. This information suggests that the City should continue to develop its Internet facilities and investigate the offering of on-line transaction services. With over one third of households ready to conduct business on-line with the City today, the efficiency gains of on-line activity might quickly repay the necessary investment in the project. Further, as time passes and demographic shifts occur, more of the population will demand Internet-based transactions with the City. Such demand would justify today's investigation of the service and the City's potential investment.

Observations and Implications

As noted in the beginning of this summary report, the survey intended to measure the demand for telecommunications services in the City. Based on its results, we believe the survey found that demand for telecommunications services in San Francisco is robust. Wireless phone, fax machines and Internet service are used by approximately half of the City's households. Likewise, cable television and satellite television have higher penetration than previously acknowledged. Traditional wireline phone service is universal and 42% of the respondents have more than one phone line in their homes.

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The survey also probed the levels of service satisfaction among residential users. This topic relates to demand, but also to supply, a subject previously explored within the San Francisco Telecommunications Master Plan. The previous analysis observed that supply of telecommunications services to San Francisco residents is generally limited to a single facilities based provider in each service category. Minor video competition from satellite to home service is the only exception. Further, high speed data was not available in any consumer-oriented form until DSL service was introduced by Pacific Bell in early 1999. We refer the reader to the San Francisco web site (www.ci.sf.ca.us) and its report entitled A Summary of Telecommunications Companies Doing Business in San Francisco. Specifically, the Residential Services section under Telecommunications Choices identifies the state of the telecom art as practiced in San Francisco at year-end 1998. The residential survey extends the supply analysis beyond the provider's perspective to the consumer's perceptions of service quality.

Consumers' satisfaction with existing telecom services varies depending on the service discussed and carrier offering it. In general, we consider satisfaction levels in San Francisco to be relatively high. Based on satisfaction measurements, cable television is the local service most vulnerable to competition, but even it satisfied the overall satisfaction standards of three quarters of its customers.

As is commonly found in consumer surveys, wireline phone receives high marks for overall service satisfaction. As mentioned earlier, cell/PCS satisfaction is remarkably close to the same level as traditional phone. Cable TV is clearly less respected for its overall service. While it ranks very highly in service reliability and response to service calls, the perception among users is that cable is not well priced compared to the other services. Given the combination of cost and overall satisfaction, cable is the weakest market player and wireline phone is the strongest.

Today, most telecommunications industry regulators rely on competition to provide the best and most manageable solution to the maintenance of fair prices and good quality service. Competition in turn depends on the existence of strong demand for service, and needs that are perceived to be unsatisfied. As noted, this survey indicates a strong market demand for voice, video and data services. Conversely, the supply study referenced above indicates that residential service is limited to a single phone carrier, cable service provider, and high speed data provider. Wireless phone and ISP's are the only service providers with significant competition. The survey, as a tool for measuring demand, indicates that the monopoly wireline phone service and the competitive wireless phone service are well regarded. However, it appears that supply and demand are not as well balanced in the case of subscription television where price and satisfaction have relatively low ranks in the survey, and in the case of high speed data where only one carrier offers a service with less than full market coverage.

The purpose of the public survey of residential demand for telecommunications services and the earlier supply analysis was to determine if a significant imbalance exists between the telecommunications service offered to the community and those demanded. According to our assessment of the data, the satisfaction levels in all services are 75% or higher. The significance of such measures is open to interpretation and admittedly not comparable to any widely accepted standards.

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Accordingly, it may be appropriate for the City to test the results of the survey by discussing them in public outreach forums. Although the forums would not have quantifiable standards of the survey, they may offer context to the issues that a poll cannot provide.

Subject to these qualifications, MCG does not believe that a sufficient statement of dissatisfaction has been expressed to cause the City to take unilateral steps to attempt to change the market for telecom services in San Francisco. However, another carrier may interpret the market as one where it can offer competitive services, especially where demand is high and supply is weak, relative to other telecom services in the market. In that event, it is reasonable to expect that the overall expectations of consumers will rise, making the market more robust and ultimately increasing subscriber satisfaction.

TOTAL P.29

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2

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MINUTES*

MONDAY, JULY 26, 1999
CITY HALL

ROOM 400

REGULAR MEETING
5:30 P.M.

COMMISSIONERS

E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka

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Julia M. C. Friedlander
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

* Subject to the approval of the Telecommunications Commission

Order of Business

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 5:45 P.M.

President Ellington called roll for the Commission.

Present: E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel, Commissioner
John Lira, Commissioner
Jan Masaoka, Commissioner

2. Special Order: Closed Session [Open Access Issue]

President Ellington made a motion, seconded by Commissioner Engel, to continue this item. The Commission moved to continue this item with five ayes [Ellington, Jackson, Engel, Lira, Masaoka], none opposed.

3. Approval of the Minutes of June 28, 1999 Meeting

Commissioner Engel made a motion, seconded by Vice President Jackson, to adopt the minutes of June 28, 1999. The Commission moved to adopt the minutes with five ayes [Ellington, Jackson, Engel, Lira, Masaoka], none opposed.

- Comment: None.
- Public Testimony: None.

4. Communications

President Ellington briefly reviewed communications sent to the Commission.

- Comment: None.
- Public Testimony: None.

5. Director's Report

Deputy Director Denise Brady stated that there was a concurrent Board of Supervisors (BOS) meeting (hearing the transfer legislation for the cable franchise agreement). Therefore, Acting Director Julia Friedlander could not attend the Telecommunications Commission meeting, because she was still at the BOS meeting in negotiations with AT&T.

Ms. Brady stated that Ms. Friedlander's monthly report will be presented at the next regular Commission meeting.

Ms. Brady introduced Ed Colchado, Deputy Director, Network Engineering, Department of Telecommunications and Information Services (DTIS), who in turn introduced Valerie Griffin, the new Telecommunications Manager, DTIS.

- Comment: None.
- Public Testimony: None.

6. Old Business

a) Telecommunications Plan Update: Presentation of the 1999 Survey of Residents on Telecommunications Issues (Attached)

Ms. Brady introduced Ted Liebst, Media Connections Group (MCG) and James Newton, Public Research Institute, San Francisco State University. Mr. Newton and Mr. Liebst gave a brief overview of the results of the residential survey (Attached).

- Comment

Vice President Jackson expressed concern about the methodology, in regards to the sampling. He stated that the sampling bullet, "special efforts to reach typically underrepresented racial/ethnic groups" implied that an effort was made, but with no success. Mr. Newton assured the Commissioner that the efforts to reach these groups were successful. The proportion of African-Americans and Hispanics was approximately equivalent to what is generally reported for the population of San Francisco. Due to statistical methods, he further discussed that there was a slight under-representation for Asians, but the numbers were adequate to provide a valid representation in that group.

President Ellington asked for clarification on the definition of the "Asian" group. Mr. Newton replied that while he dislikes the term "Asian," many sources of public data on profiling treat Asians as if there were no distinction amongst persons of Vietnamese, Chinese or other Asian backgrounds. There is no reliable data on the numbers of people in the subgroups, any more than there are reliable breakdowns on subgroups of Whites.

Vice President Jackson asked about the bullet statement of college-educated and Hispanic respondents being over-represented in the survey. Mr. Newton discussed that while the survey did not seek out persons with higher education, people with more formal education tend to take a greater interest in responding to surveys. Hispanic groups are also typically underrepresented in these types of surveys, so they made a special effort to reach that community.

Vice President Jackson expressed his surprise at the high percentage of households who are satisfied with the services provided by the cable company, particularly when he consistently hears complaints about cable service from the residents of San Francisco. He expressed concern over the questions that were asked for this portion of the survey. Mr. Newton discussed the questions that were asked of the household in regards to satisfaction with their cable services.

Ms. Brady stated that people are often unaware of poor service unless they have something with which to compare. For cable service, this is not possible right now due to a lack of competition in San Francisco.

Commissioner Lira asked about the +/- 4% accuracy of the survey, and whether or not that percentage had to do with the fact that the phone surveyor might not have spoken with the person in the household who was actually using the service. Mr. Newton responded that the percentage is based on sampling methodology.

Commissioner Masaoka commented that she was surprised by the high percentage of households with various types of equipment in their homes, and asked if how this compared with other cities. Using personal computers as an example, Mr. Liebst commented that these numbers are slightly above average for a metro area. Mr. Newton explained that for the fax category, this included both stand alone faxes and fax modems.

Commissioner Masaoka requested that on some of the more unusual findings, the researchers draw comparable numbers from secondary sources, and add them to the report. Mr. Liebst stated that they have started looking for other comparable surveys.

Vice President Jackson questioned the data of a lower percentage of owners of pagers than cellular phones, particularly due to the low cost of pagers.

President Ellington stated that the residential survey is simply a portion of the Telecommunications Plan, and there is still much work to be done. The executive summary of the survey is available on the Commission web site at "www.telecommunications_commission@ci.sf.ca.us".

- Public Testimony

Niels Erich, SPUR, commented on the survey, particularly in regards to the lack of information on broadband technology.

In response to Mr. Erich's comment, President Ellington stated that based on the fact that this was a residential survey, most people are not familiar with the term or use of broadband technology. He further discussed the relevance of broadband in the City's services, which will be addressed in the Telecommunications Plan.

b) 415 Area Code Update

Ms. Brady reviewed her last month's presentation. Supervisor Kaufman passed a resolution at the BOS urging DTIS, the City Attorney and the Telecommunications Commission to join an action that was generated out of the City of Los Angeles. This action joins a petition by the Public Utilities Commission (PUC) to temporarily suspend the introduction of an overlay to the 415 area code and also suspend the 11-digit dialing that would accompany an overlay.

Ms. Brady informed the Commission that their requested letter of support for this resolution was sent to the BOS. Ms. Brady's staff is also working in conjunction with the City Attorneys office to write a petition addressing this matter, which should be completed within two to three weeks. One possible action is a technology specific overlay, which the Federal Communications Commission (FCC) is reconsidering at this time.

- Comment: None.
- Public Testimony: None.

7. New Business

a) Cable Television System Overbuild
(Rules and Regulations for Processing Open Video System (OVS) Franchise Applications)

President Ellington asked for this item to be continued to the call of the Chair.

- Comment

Vice President Jackson asked that DTIS keep the Commission informed on an ASAP basis of any new developments in this area.

- Public Testimony: None.

b) Presidential Election

The Commission Secretary, Kim Weisman, called roll call for nominations for the President's office of the Commission. There were five nominations for Commissioner Ellington for President [Masaoka, Engel, Lira, Ellington, Jackson], none for other Commissioners, and five ayes for the nominee to be elected to President [Masaoka, Engel, Lira, Ellington, Jackson], none opposed. Commissioner Ellington was re-elected to the office of President of the Commission.

- Comment

President Ellington thanked the Commission for their support.

- Public Testimony: None.

c) Vice Presidential Election

Ms. Weisman called roll call for nominations for the Vice President's office of the Commission. There were five nominations for Commissioner Jackson for Vice President [Masaoka, Engel, Lira, Ellington, Jackson], none for other Commissioners, and five votes for the nominee to be re-elected to Vice President [Masaoka, Engel, Lira, Ellington, Jackson], none opposed. Commissioner Jackson was re-elected to the office of Vice President of the Commission.

- Comment

Vice President Jackson thanked the Commission for their support.

- Public Testimony: None.

8. Calendar Matters

President Ellington noted that two items have been continued.

President Ellington asked that prior to next month's meeting, DTIS give information about the structure of the plan to the Commissioners. He also requested that each Commissioner take responsibility for a portion of the plan, working as a resource for DTIS and the consultants. He asked that a review of the structure of the plan be placed on next month's agenda.

- Comment

In response to President Ellington's question, Ms. Brady stated that the next step for the Telecommunications Plan is a small business survey. Pendergast & Associates will conduct approximately twelve focus groups with small business. In addition, MCG will conduct approximately twelve one-on-one interviews with corporations and small businesses that represent different business sectors. She stated that she welcomed the input of the Commissioners on the Telecommunications Plan.

Vice President Jackson noted that he and Commissioner Engel still had to finalize their work with Public Access working group, but stated that he would gladly take on the task of working with the Telecommunications Plan.

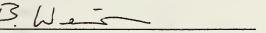
- Public Testimony: None.

9. Public Comment: None.

10. Adjournment

President E. David Ellington adjourned the meeting at approximately 6:45 p.m.

Respectfully submitted,



Kim B. Weisman, Commission Secretary

Results of the 1999
SURVEY OF SAN FRANCISCO RESIDENTS ON TELECOMMUNICATIONS ISSUES

A Presentation to the

Telecommunications Commission of the
City and County of San Francisco

DRAFT

July 26, 1999

James W. Newton - Public Research Institute, SFSU
Edward G. Liebst, Media Connections Group

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GOALS The survey investigated

- Characteristics of residential telecommunications service and technology usage and demand, and
- Satisfaction with those transactions

SPECIFIC TOPICS OF THE INQUIRY

- Communication tools and services
- Household telephone service (wireline)
- Wireless telephone service
- Cable television
- Satellite television
- Personal computers
- Internet
- City services
- Demographics (characteristics of the sample)

METHODOLOGY OF THIS TELEPHONE SURVEY

Sampling:

- Random Digit Dialing to households with *listed* and *unlisted* numbers
- Special efforts to reach typically underrepresented racial/ethnic groups
- Balanced across regions of the City: north, west, central, south
- Response rate = 35% of eligible contacts

Interviews:

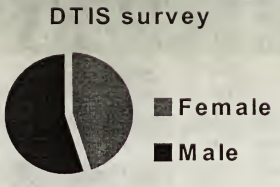
- 10 minutes on average, conducted March 22 - April 8, 1999
- English language; Spanish, Cantonese, or Mandarin as needed

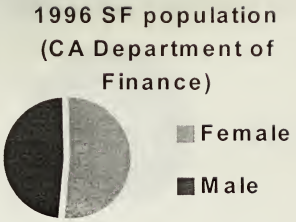
Representativeness:

- Sample profile generally similar to census and other standards
- College-educated and Hispanic respondents are over-represented
- *Weighting* to adjust for education and race/ethnicity was unnecessary

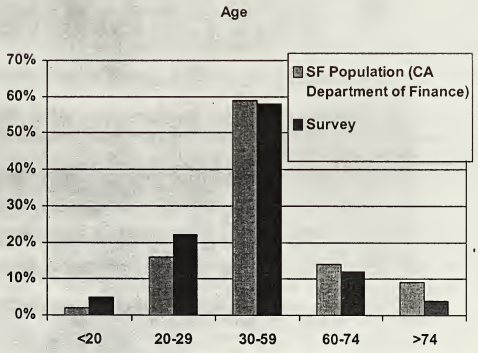
Statistical issues:

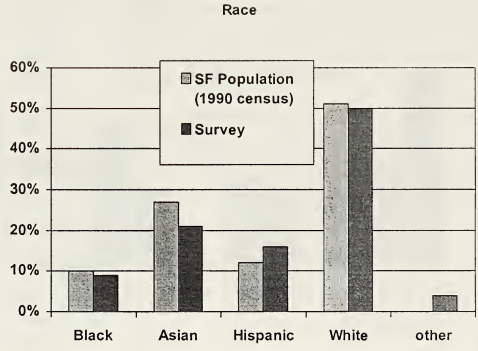
- Proportions are accurate to +/- 4%, at the 95% level of confidence
- Comparisons are considered *significant* if differences are less than 5% likely to be due to chance



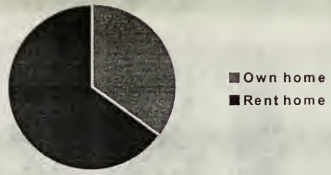


Sample Characteristics





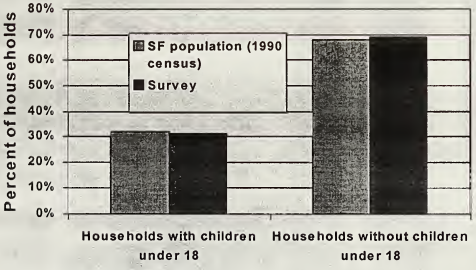
DTIS Survey



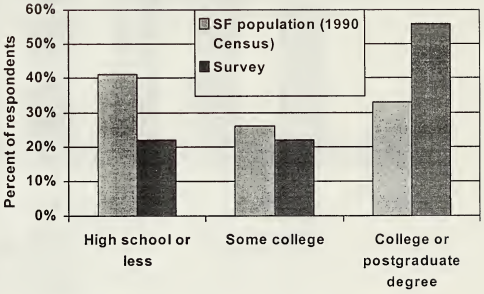
SF population (SF Rent Board, 1998)

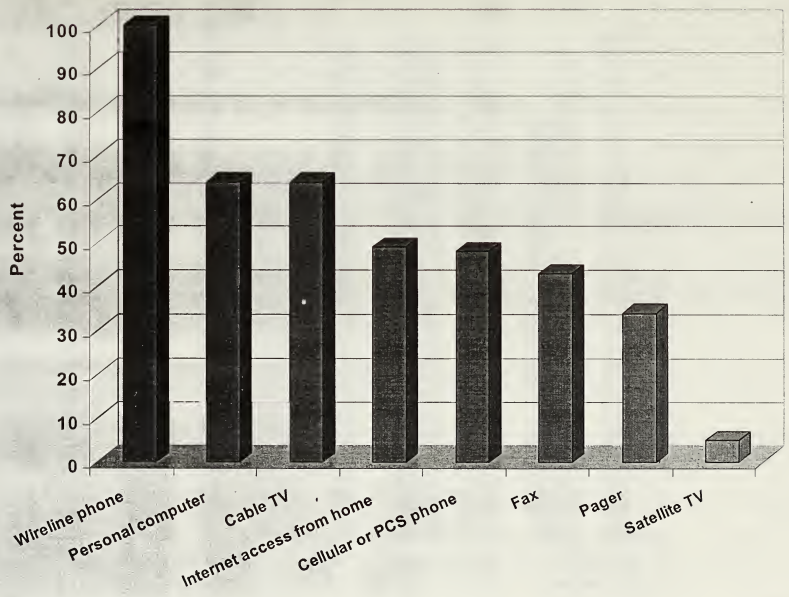
Sample Characteristics

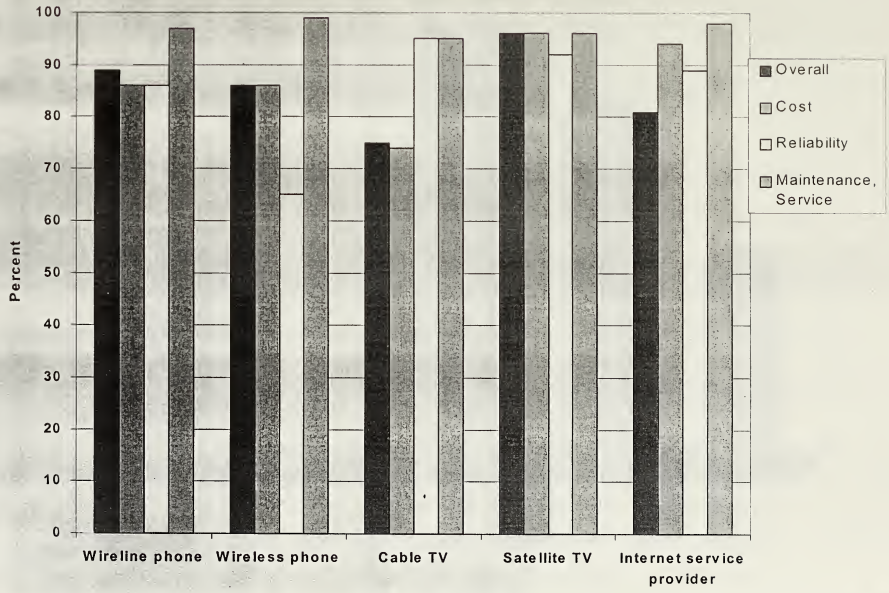
Households with Children Under 18



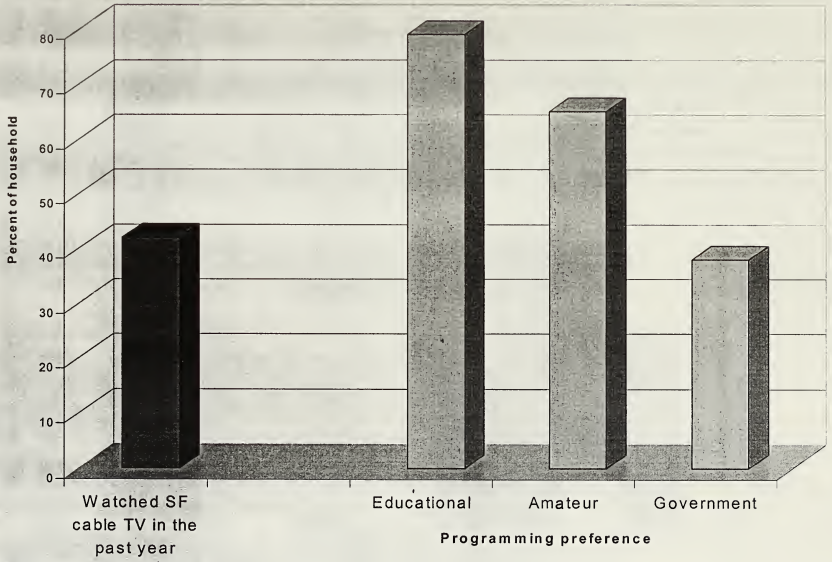
Level of Education

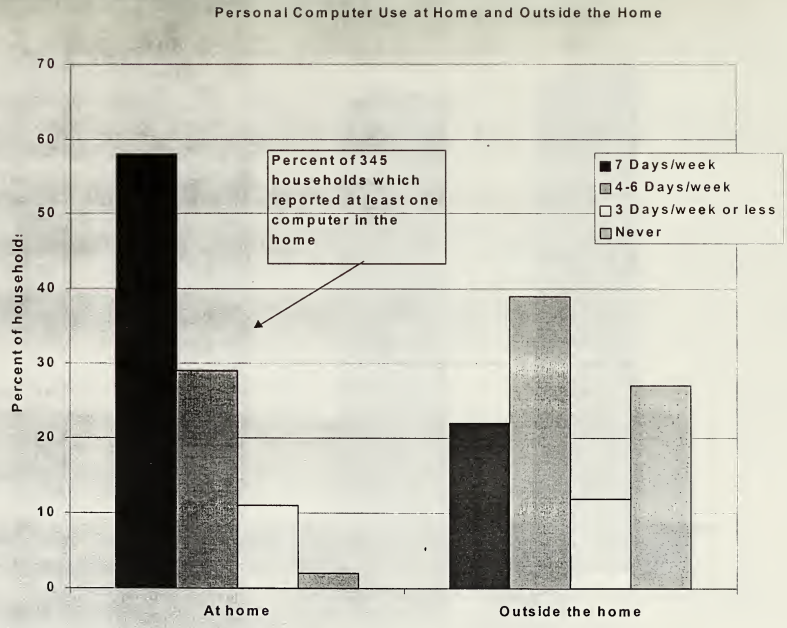


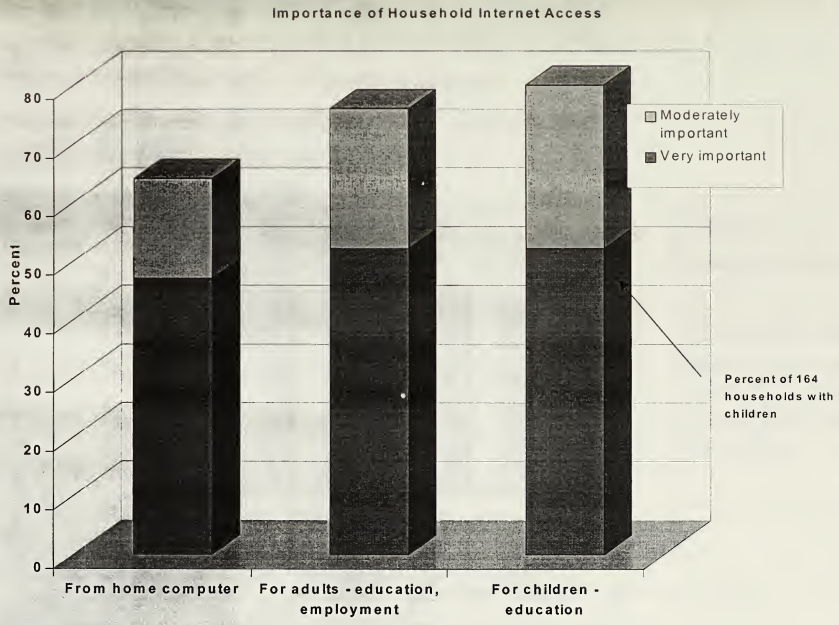

Telecommunications Service and Equipment in the Household
Percent
100
90
80
70
60
50
40
30
20
10
0
Wireline phone
Personal computer
Cable TV
Internet access from home
Cellular or PCS phone
Fax
Pager
Satellite TV


Percentage of Households Satisfied With Telecommunications Services
Percent
100
90
80
70
60
50
40
30
20
10
0
Overall
Cost
Reliability
Maintenance, Service
Wireline phone
Wireless phone
Cable TV
Satellite TV
Internet service provider

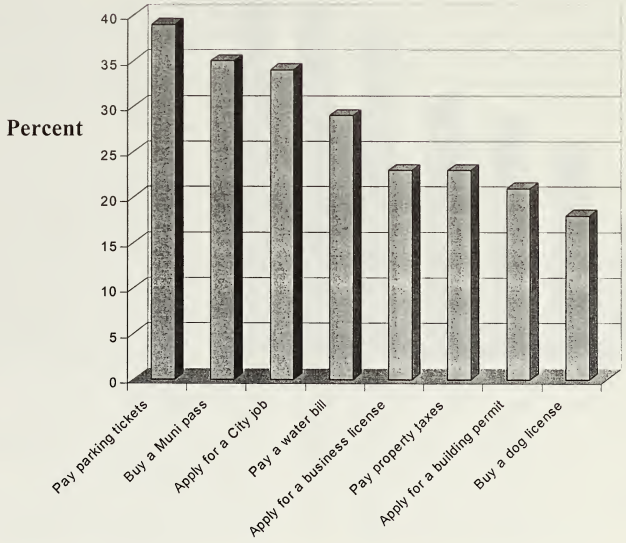
SF Cable TV Viewing and Programming Preferences




Personal Computer Use at Home and Outside the Home
70
60
50
40
30
20
10
0
Percent of household:
Percent of 345 households which reported at least one computer in the home
7 Days/week
4-6 Days/week
3 Days/week or less
Never
At home
Outside the home


Importance of Household Internet Access
Percent
80
70
60
50
40
30
20
10
0
Moderately important
Very important
Percent of 164 households with children
From home computer
For adults - education, employment
For children - education

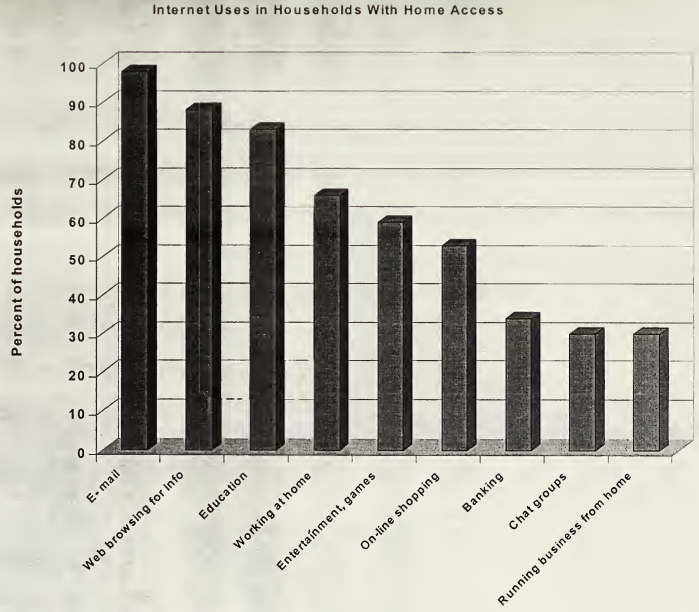
Desire to Conduct Transactions With the City by Internet



Source:

Controller's survey of 1999

Respondents were asked if they would like to do each type of transaction using the Internet.


Internet Uses in Households With Home Access
Percent of households
100
90
80
70
60
50
40
30
20
10
0
E- mail
Web browsing for info
Education
Working at home
Entertainment, games
On-line shopping
Banking
Chat groups
Running business from home

Support for Internet Access From Public Facilities

Observations and Implications

- Survey intended to measure demand for telecom services to residents
- It looked at usage and satisfaction for voice, video, and data services
- Telecom has critical and valued services
- Satisfaction more difficult to measure
- All services received evaluations of good to excellent
- In light of good-to-excellent satisfaction with service quality, price is the remaining area for concern
- City government response to the data

Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, August 23, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

Fax Copy 1st Posted 8/20/99

DOCUMENTS DEPT.

AUG 2 3 1999

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1) CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

2) APPROVAL OF THE MINUTES

- Adoption of the Minutes of July 26, 1999 regular meeting

a) Comment

b) Public Testimony

3) COMMUNICATIONS

- See attached description of correspondence

a) Comment

b) Public Testimony

4) **DIRECTOR'S REPORT**

a) Comment

b) Public Testimony

5) OLD BUSINESS

a) Telecommunications Plan Update

(1) Comment

(2) Public Testimony

b) PEG (Public, Education, Government) Channels Update

(1) PEG Channels Update from Denise Brady, Deputy Director, DTIS

(2) Public Access Channel Update from Zane Blaney, CEO, San Francisco Community Television Corporation (CTC)

(a) Comment

(b) Public Testimony

6) NEW BUSINESS

a) RCN Franchise Application

- Report from Acting Director, Julia Friedlander

b) Wireless Communications Facilities Tower Siting Guidelines Report

- Report from Department of City Planning staff

(1) Comment

(2) Public Testimony

7) CALENDAR MATTERS

a) Comment

b) Public Testimony

8) PUBLIC COMMENT

9) ADJOURNMENT

COMMUNICATIONS RECEIVED July 20 – August 16, 1999

1. Correspondence from Daniel Burke, dated July 24 and July 26, 1999, regarding the open access issue;

2. Correspondence from James Brady, dated July 30, 1999, regarding the open access issue; and

3. Invitation to the 1999 Asian M&A Forum, October 11-13, 1999, in Singapore.

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

****

DISABILITY ACCESS

The San Francisco City Hall is wheelchair accessible. Accessible seating for persons with disabilities, including those using wheelchairs, is available.

The closest accessible BART station is the Civic Center station, located at the intersection of Grove, Hyde, and Market Streets.

Accessible MUNI bus lines serving City Hall are the 19 Polk, 42 Downtown Loop, 9 San Bruno, and the 7 Haight/Noriega. Accessible MUNI lines are the J, K, L, and M. Disabled parking is available at designated points along Van Ness, McAllister, Grove, and Polk streets.

Individuals with severe allergies, environmental illness, Multiple Chemical Sensitivities, or other disabilities should contact (415) 554-6060 or TDD/TTY at (415) 554-6252, for inquiries. In order to assist the City in accommodating persons with such disabilities, attendees at all public meetings are reminded that other persons may be sensitive to chemically based products. Please help the City to accommodate these individuals.

American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

DRAFT TELECOMMUNICATIONS FACILITIES SECTION
COMMUNITY FACILITIES ELEMENT
SAN FRANCISCO GENERAL PLAN

DOCUMENTS DEPT.

AUG 2 3 1999

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August 20, 1999

DRAFT
TELECOMMUNICATIONS FACILITIES SECTION
COMMUNITY FACILITIES ELEMENT
8/20/99

OBJECTIVES AND POLICIES

OBJECTIVE 12
Ensure that wireless telecommunications services facilities are compatible with nearby land uses.

Policy 1
Establish and implement guidelines for appropriate siting of WTS facilities.

Policy 2
Consider the effect on existing WTS facilities when placing a new WTS facility.

Policy 3
Preserve the value and public accessibility of San Francisco's natural resources, open spaces, and recreational resources as well as accessible private roofs, roof gardens, and roof decks, so that WTS facilities do not diminish them or make them unsafe.

OBJECTIVE 13
Place WTS facilities so that San Francisco's physical character and beauty are preserved.

Policy 1
Protect the urban design, scale, architectural character, and visual continuity of San Francisco's neighborhoods when installing WTS facilities, consistent with the Urban Design Element.

Policy 2
Make new WTS facilities compatible with the scale of the locale.

Policy 3
Ensure that a structure can accommodate a WTS facility with minimal visual obtrusiveness.

Policy 4
Ensure that the back-up facilities required for wireless telecommunications services to function are located and designed to minimize visual obtrusiveness.

Policy 5
Protect valued structures and views from visually obtrusive WTS facilities.

Policy 6
Ensure that to the extent possible WTS facilities are evenly distributed physically.

Policy 7

Encourage keeping San Francisco's skyline visually uncluttered.

OBJECTIVE 14
Ensure public safety and convenience in the siting and use of wireless telecommunications services facilities.

Policy 1
Ensure that WTS facilities are sited so that public safety is protected.

Policy 2
Ensure that public wireless telecommunications service needs are met effectively and efficiently.

Policy 3
Facilitate the creation and siting of a citywide WTS facilities network to encourage reasonable access for all to wireless telecommunications services.

INTRODUCTION

The Telecommunications Section of the Community Facilities Element establishes objectives, policies, and guidelines for the siting and visual appearance of San Francisco's wireless telecommunication services facilities in accordance with Federal and state law. The objectives address broad goals related to the location and visual appearance of wireless telecommunication services facilities. Policies are courses of action that support the objectives and, together with the guidelines, provide direction for making decisions about the siting and visual appearance of wireless telecommunication services facilities.

For the purposes of this plan, wireless telecommunications services (WTS) are defined as commercial mobile radio services such as cellular mobile telephone technology, Personal Communications Services (PCS), Enhanced Specialized Mobile Radio (ESMR) services, and other wireless technologies that feature similar equipment and/or share similar land use impacts and are regulated by the Federal Communications Commission (FCC). Wireless telecommunications services also include wireless data networks which are not regulated by the FCC. Wireless telecommunications services facilities include all equipment necessary to provide the communications service, including, but not limited to, antenna, supporting structures, and back-up equipment such as receivers, transmitters, power supply, and cooling/air conditioning equipment. This plan does not address siting of radio antenna towers, television antenna towers, or direct broadcast satellite (DBS) antennas.

Background

Wireless telecommunications facilities have long contributed to San Francisco's communications network. The emergency response systems of police, fire, and ambulance services rely on radio receivers and transmitters with accompanying antennae and support structures interspersed throughout the City. In addition, many businesses, such as taxi and repair services, use radio-dispatched vehicles to serve the City.

Wireless telecommunications technology has advanced. The types of goods and services available to the everyday consumer as well as businesses have grown. Wireless telecommunications over the last fifteen years have become even more a part of people's everyday lives with the introduction of cellular phones and personal paging technology. Many businesses and individuals now perceive a need for access to wireless communications whether it is to stay in business, expand that business, provide personal convenience, or feel assured of personal safety. Communication-on-demand is now relatively commonplace.

Public access to personal mobile communications began in the 1980s and quickly appealed to people who felt they needed to be reached at any given time or place. In

1998 alone, the number of Americans who subscribed to wireless phone service jumped by 25 percent to about 69 million. The number of applications in San Francisco for permitting WTS facilities has grown along with the rapid increase in wireless technology usage. At the same time, Issues of appropriate siting and visual appearance of WTS facilities arose as San Francisco sought to accommodate the needed facilities. The objectives, policies, and guidelines of this plan address these siting and appearance issues so that San Francisco may meet the demand for wireless telecommunications services while retaining the City's renowned livability and visual beauty.

OBJECTIVES AND POLICIES

OBJECTIVE 12
Ensure that wireless telecommunications services facilities are compatible with nearby land uses.

Policy 1
Establish and implement guidelines for appropriate siting of WTS facilities.

Wireless telecommunications services are important to San Francisco's economic health and are in demand by an increasing number of the City's residents, businesses, workers, and visitors. Facilities need to be installed on structures for WTS to function. Establishing guidelines to ensure appropriate siting and visual appearance is necessary for San Francisco to gain the benefits of these services without experiencing undue adverse impacts. In addition, because wireless telecommunications services technology evolves rapidly, these guidelines are designed to be as flexible as possible in order to address the evolving industry.

Policy 2
Consider the effect on existing WTS facilities when placing a new WTS facility.

Installation and operation of new WTS facilities should not interfere with the operation of existing nearby WTS facilities. WTS facilities should be as physically and visually unobtrusive as possible; therefore, any change to an existing facility should be avoided or minimized.

Policy 3
Preserve the value and public accessibility of San Francisco's natural resources, open spaces, and recreational resources as well as accessible private roofs, roof gardens, and roof decks, so that WTS facilities do not diminish them or make them unsafe.

San Francisco's natural resources, open spaces, and recreational resources are vital to the health and well-being of its residents. Accessible private roofs, roof gardens, and roof decks also serve as important open spaces for people to enjoy. To preserve and

protect these resources, WTS facilities should be mitigated such that lighting, signage, or barriers do not adversely impact residents' enjoyment, use, or access. When the WTS facility is located on an accessible roof space, the facility should be designed and placed so that it poses minimal visual impact and no hazard to other users of the roof space.

OBJECTIVE 13
Place WTS facilities so that San Francisco's physical character and beauty are preserved.

Policy 1
Protect the urban design, scale, architectural character, and visual continuity of San Francisco's neighborhoods when installing WTS facilities, consistent with the Urban Design Element.

San Francisco's structures and scenic views are among the City's greatest assets. Therefore, when siting WTS facilities on structures, the facility should be positioned to minimize visual obstruction and keep view corridors clear, consistent with the reasonable technological requirements of the facility. Any logos or identifiers on WTS facilities should be minimized and generally unnoticeable, and antenna panels should not reflect light. The color of a WTS facility should cause it to blend well with its surroundings, avoiding harsh contrasts. In addition, no one locale or structure should be the site of so many WTS facilities so that the facilities overwhelm it and become visually distracting.

Policy 2
Make new WTS facilities compatible with the scale of the locale.

Successful siting of WTS facilities is in part a matter of scale. Careful assessment of each site's size and the texture of its surroundings is required, together with a very conscious effort to achieve balance and compatibility. The scale of each new facility must be related to the prevailing height and bulk in the area, and to the wider effects upon the skyline and views even when the facilities are on poles and other accessory structures.

Policy 3
Ensure that a structure can accommodate a WTS facility with minimal visual obtrusiveness.

Certain structures can accommodate WTS facilities so that adverse visual impacts are minimized. These structures include some publicly used structures as defined in the following guidelines, structures that already host similar installations (also identified in the guidelines section as "co-location sites"), and industrial and commercial buildings. Their appearance is more institutional and so equipment placed on them blends in

more readily. No one structure, however, should be the site of so many WTS facilities that it appears visually cluttered.

Policy 4
Ensure that the back-up facilities required for wireless telecommunications services to function are located and designed to minimize visual obtrusiveness.

Back-up equipment such as receivers, transmitters, power supply, and cooling/air conditioning equipment is necessary for wireless telecommunications services to function. To minimize the visual impact of these back-up facilities, they should be installed within the existing building envelope, underground where appropriate, and generally as unobtrusively as possible.

Policy 5
Protect valued structures and views from visually obtrusive WTS facilities.

San Francisco's landmark, historically significant and architecturally significant structures, as well as the City's view corridors, vistas, and scenery, are integral to the City's aesthetic appeal and livability. Every effort should be made, therefore, to minimize the adverse impact of WTS facilities upon structures and views through careful placement and screening as needed, especially for facilities on historic structures, within historic and conservation districts, and adjacent to public open spaces or plazas.

Policy 6
Ensure that to the extent possible WTS facilities are evenly distributed physically.

When any one structure or group of structures in the same vicinity has too many WTS facilities, the visual impression is cluttered and unharmonious. Therefore, co-locating facilities and overburdening a single site should be carefully considered in order to avoid a structure or group of structures carrying a disproportionate burden.

Policy 7
Encourage keeping San Francisco's skyline visually uncluttered.

Roofs with too many apparatuses on them can lead to a sense of visual disharmony and disarray. When a rooftop has other apparatuses on it, a new WTS facility should be set back from the roofline or otherwise located to minimize visibility and screened if necessary to reduce visual obtrusiveness.

OBJECTIVE 14
Ensure public safety and convenience in the siting and use of wireless telecommunications services facilities.

Policy 1
Ensure that WTS facilities are sited so that public safety is protected.

Protecting public safety is a fundamental necessity. When siting a WTS facility, its physical design and placement should ensure that the WTS facility in no way endangers the public safety. A mechanism for monitoring safety concerns and funding to support it should be encouraged.

Policy 2
Ensure that public wireless telecommunications service needs are met effectively and efficiently.

San Francisco needs effective and efficient public wireless telecommunications services to function well. These services promote public safety, a transportation system that runs smoothly, and well-managed energy and natural resources. Wireless telecommunications services should be used to improve the City's efficiency and delivery of services while reducing costs.

Policy 3
Facilitate the creation and siting of a citywide WTS facilities network to encourage reasonable access for all to wireless telecommunications services.

WTS providers should be encouraged to provide service to the entire City. City departments should strive for interagency cooperation in establishing appropriate siting and permitting procedures and in assisting the development and expansion of wireless telecommunications businesses. All San Francisco residents, visitors, and workers should have reasonable access to wireless telecommunications services regardless of income, disability, or location.

GUIDELINES FOR WIRELESS TELECOMMUNICATION SERVICES FACILITIES

The location and design guidelines set forth below are recommended for siting wireless telecommunications services facilities based on the objectives and policies of this plan. A structure's suitability as a site for a WTS facility is prioritized according to one of three categories. From most to least appropriate, a site is either (1) a preferred location site, (2) a limited preference site, or (3) a disfavored site. Once a site is selected after applying these categories, the design guidelines can then be employed to minimize a facility's visual and physical obtrusiveness when it is installed on the structure.

Location Guidelines

Guidelines for Preferred Location Sites

Preferred location sites are the most favored for WTS facilities because a facility can be installed on them with the fewest visual and physical impacts. The publicly used structures designated as preferred location sites are found in all neighborhoods for institutional and infrastructure uses. Therefore, WTS facilities on such structures appear less noticeable than a facility on a residential building or certain commercial structures. Similarly, WTS facilities on structures which already have similar installations ("co-location sites") also appear less noticeable, up to the point where a structure has too many antennae and becomes visually cluttered.

Preferred location sites are defined as follows:

1) Publicly used structures: police stations, fire stations, libraries, post offices, community centers, publicly owned parking garages, water towers, elevated roadways, bridges, flag poles, smokestacks, or telephone switching facilities. Publicly used structures are not limited to publicly owned structures. Utility structures are also publicly used structures that are preferred location sites except for those utility structures located within historic districts as established in Article 10 of the Planning Code; proposed historic districts; conservation districts as established in Article 11 of the Planning Code; along identified scenic routes; or along streets where there are, or are proposed to be installed, historic-style street light poles such as along Market Street, Van Ness Avenue, and Dolores Heights. Light fixtures specifically referenced in the General Plan are publicly used utility structures that are not preferred location sites.

2) Co-location sites: structures established for the purpose of accommodating WTS and other broadcasting facilities or existing sites on which a legal WTS facility is currently located subject to the provisions herein, applicable policies of the General Plan, the Planning Code, and any subsequent policies adopted by the Planning Department or the Planning Commission.

3) Industrial or commercial structures: wholly industrial or commercial structures, including warehouses, factories, retail outlets, supermarkets, banks, garages, and

service stations. Existing visual obstructions or clutter on the roof or along the roofline will, in a commercially practicable manner, be removed as a precursor to the new WTS installation. The zoning districts of these structures are RC-3, RC-4, NC-2, NC-3 and NC-S, or other zoning districts not otherwise noted below (such as C-2, CM, M-1 and M-2 districts).

Guidelines for Limited Preference Sites

Limited preference sites are to be considered only if every effort is made to find a preferred location site as defined above and a finding is made that the proposed limited preference site is essential to meet service demands for the geographic area (and the applicant's citywide network). In addition, if a WTS facility is installed at a limited preference site immediately adjacent to an RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1, or RC-2 zoning district, its effects on that adjacent residential area must first be determined.

Limited preference sites are the following:

Mixed-use buildings (housing above commercial or other non-residential use) in the high density districts of RC-3, RC-4, NC-2, NC-3, or NC-S, or other zoning districts not otherwise noted in the Disfavored Sites section; and

Structures located in Individual Neighborhood Commercial Districts (subject to Sections 714.1 through 729.1 and 781.1 through 781.8 of the Planning Code), NC-1 districts, and RM-4 districts.

If, however, a site in these zoning districts is a publicly used site or a co-location site as defined in the section above, it shall be considered as a preferred location site.

Guidelines for Disfavored Sites

Disfavored sites are only to be considered if no Preferred Location site (or secondarily no Limited Preference site) Is available because WTS facility placement in residential zoning districts is to be discouraged. WTS facilities placed on residential structures are the most likely to produce adverse visual and physical contrasts with the surrounding area.

Disfavored sites are structures located in the following zoning districts: RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1, and RC-2. However, if a site in these zoning districts is a publicly used site or a co-location site as defined in the section above, it shall be considered as a preferred location site.

Design Guidelines

Each WTS facility should be installed on and/or within the structure in accordance with the following guidelines.

1. The visual impact of the installation from public vistas or streets should be minimized.

2. The visual impacts of the WTS facility from habitable living areas (such as bedrooms or living rooms) of residential units that directly face the antenna should be minimized.

3. Whenever possible, back-up facilities should be installed within the existing building envelope, underground where appropriate, and generally as unobtrusively as possible.

4. If new construction is required for the back-up equipment, the housing for this equipment should be low-lying and painted, screened, landscaped, or otherwise treated architecturally to minimize visibility of the equipment or otherwise to create a visually pleasing feature.

5. If back-up equipment is installed on the roof, the facility should be set back or otherwise located to minimize visibility, especially from the street or public places.

6. Noise and thermal transmission from equipment to tenants of the subject building should be minimized. In residential districts, San Francisco noise standards for residential use must be met. Noise levels created by back-up equipment, such as air conditioning, ventilation, or power equipment, should be at all times within the levels established by the San Francisco Noise Ordinance.

7. Intrusion into usable open space within the lot should be avoided or minimized.

8. Antennas should be sited and barriers and signage provided so that a person is prevented from passing within the safety limits established by the FCC-adopted standards for controlled access.

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8/23/99

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MINUTES*

MONDAY, AUGUST 23, 1999
CITY HALL

ROOM 400

REGULAR MEETING
5:30 P.M.

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Julia M. C. Friedlander
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

* Subject to the approval of the Telecommunications Commission

Order of Business

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 5:35 P.M.

President Ellington called roll for the Commission.

Present: E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel, Commissioner
John Lira, Commissioner
Jan Masaoka, Commissioner

2. Approval of the Minutes of July 26, 1999 Meeting

Commissioner Masaoka made a motion, seconded by Commissioner Engel, to adopt the minutes of July 26, 1999. The Commission moved to adopt the minutes with five ayes [Ellington, Jackson, Engel, Lira, Masaoka], none opposed.

- Comment: None.
- Public Testimony: None.

3. Communications

President Ellington briefly reviewed communications sent to the Commission.

- Comment: None.
- Public Testimony: None.

4. Director's Report

- Acting Director Julia Friedlander relayed some of the Department's accomplishments on key priority projects since the last Commission meeting.

  a) 911 Hiring
  Of the 39.5 new and reassigned positions approved in the budget for the 911 program, 23 were available for hiring effective 7/1/99. Of these, 13 are filled. There are still some vacancies in the LAN administrator positions, but most are in the network engineering positions. DTIS has contracted with an information technology recruiter to help fill these hiring requirements.

  b) COIT/Year 2000 (Y2K) Report

The City and County of San Francisco's is diligently pursuing Y2K readiness. The following areas and departments are Y2K ready:

- City vehicles including police cars, fire trucks and engines, and ambulances.
- Jails.
- Power from backup generators across the City.
- Existing 911 systems are compliant based on vendors' certification. This includes Pacific Bell 911 services, data and voice circuits, and other vendors.
- Municipal Railway's fleet of electric trolleys and diesel buses.
- The FAA has certified the San Francisco International Airport to be Y2K ready, which includes all 13 of the critical life, safety and security systems.
- Parking and traffic signal controllers and master clocks.
- All major patient care systems for the Department of Public Health.

Within DTIS, the following services are Y2K ready or in progress:

Phone: Y2K Ready
- All phone services from the City's primary Telecom carrier, Pacific Bell, including all 911 services, equipment and central office(s).
- All data and voice circuits, including fiber-optic circuits.
- All PBX's, the large G2&G3 Lucent switches and the vast array of smaller office systems certified by Lucent and Siemens.

Phone: Y2K In Progress
- All but a handful of voice mail systems are compliant, which are currently in the process of being upgraded. These should be completed in October.
- The Mayor's Emergency Telephone Switch (METS) is being upgraded now. This began last week and will be finished by next week. With this upgrade METS is 100% compliant and has greater capacity.
- The majority of pagers and cell phones are compliant and DTIS is currently working on a new contract that will achieve 100% compliance. The contract is expected to be in place by October.

Radio: Y2K Ready
- The 400 MHz conventional radio system used by public safety departments.
- An upgrade to the Ambulance Vehicle Location System (AVLS) took place August 20 and is now operational.
- The microwave communications systems.

Radio: In Progress
- The existing 800 MHz system will be brought into compliance following a decision by the SFUSD. This is expected to take place in September.
- A project is underway that focuses on the Fire Department's Auxiliary Water Supply System (AWSS) Y2K ready. This will be completed in October.

Enterprise Computing: Y2K Ready
- The DTIS data center at One Market Plaza is Y2K ready. This includes the computer and its ancillary hardware and software.

- AY2K Logical Partition (LPAR) on the enterprise server is available 24 hours a day, 7 days a week for testing of applications.

Enterprise Computing: In Progress

- The vast majority of DTIS applications are already Y2K compliant and quality assurance testing in the Y2K LPAR is underway.

Network Engineering: In Progress

- The routers, digital service units (DSU's) and data circuits, which make up the City and County of San Francisco Wide Area Network, are compliant. Independent verification of this by an outside vendor is underway.

CityWatch: In Progress

- The assessment of recording and broadcast equipment brought into City Hall is currently being finalized.

Contingency Planning: In Progress

- DTIS is meeting internally to develop contingency plans within teams and across the organization. DTIS is also meeting with their clients to gain a better understanding of their priorities, so that DTIS can plan appropriately and know priorities in case the contingencies have to be invoked.
- DTIS has a disaster recovery site, a hot site, which enables DTIS to immediately turn over the mainframe operations to a location outside of the state of California in the event of a disaster, including Y2K, earthquakes, power outages or other disasters. A hot site test is scheduled for August 31.

- Comment

In response to Vice President Jackson's question, Ms. Friedlander stated that the backup hot site is Y2K compliant. Vice President Jackson commended the Department for its significant gains in the Y2K area.

President Ellington asked that any public COIT documents be delivered to the Commissioners on a more timely basis.

In response to Commissioner Lira's question, Ms. Friedlander stated that she would follow up to determine if the Department of Elections is Y2K compliant.

In response to Commissioner Masaoka's inquiry, Ms. Friedlander provided a brief update on the open access issue and discussed the policy, adopted by the Board of Supervisors (BOS), of embracing open access as the "right" policy. The BOS has asked DTIS and the Commission, through a resolution, to report back to them in December on this issue. DTIS is currently discussing the best way to go about gathering the information, and will present it to the Commission prior to going to the BOS. The information will consist of reporting on all of the legal, technical and market developments that affect this issue. Commissioner Masaoka asked about the anticipated role of the Commission in the preparation of the report. Ms. Friedlander stated that they are still deciding what that role might be, but DTIS is

interested in the Commissioners' thoughts on what it might be. Commissioner Masaoka suggested that feedback be given during a regular Commission meeting. The Commission should also review the document prior to it being presented to the BOS in December.

In response to Commissioner Masaoka's question, Ms. Friedlander stated that DTIS was assured by FCC staff that there would be no significant difference in how the cable build-out would be conducted if the cable companies were required to prepare for open access. Commissioner Masaoka also inquired if DTIS staff was currently working with AT&T on the technical aspects of the build-out. Ms. Friedlander stated that the rebuild ordinance requires the company to provide rebuild reports every six months.

Commissioner Masaoka asked if there would be an opportunity in December for amendments to the current franchise agreement, and what the process is for determining the City's position for proposing those amendments. Ms. Friedlander stated that DTIS would report on this issue at next month's meeting. Commissioner Masaoka requested this issue be heard no later than October.

Commissioner Masaoka requested an update on the amicus brief for Portland. Deputy City Attorney Christine Ferrari reported that the brief is due on September 14, 1999, and that the City Attorney's office, working in conjunction with DTIS, was assisting Portland by filing that brief.

President Ellington asked if a brief was going to be sent to the FCC (Federal Communications Commission). Ms. Ferrari replied that the amicus is being prepared for the 9th Circuit Federal Court, as an appeal in the Portland case, but the brief would not be sent to the FCC. President Ellington and Ms. Friedlander briefly discussed the FCC's position in regards to the open access issue.

Commissioner Engel commended Ms. Friedlander and the DTIS staff for their hard work on the open access issue.

- Public Testimony: None.

5. Old Business

a) Telecommunications Plan Update

Ms. Brady gave an update on the Telecom Plan.

- An expedited recruitment has been put in place to fill a vacancy in the Policy, Planning & Compliance division as soon as possible.

- The RFP (Request for Proposal) for the City's Internal Needs Assessment has gone out. It was advertised on August 13, 1999, in numerous bilingual and English publications, and mailed to the Human Rights Commission's vendor list. A pre-bid conference is occurring on September 1, 1999. The RFP is available on the Telecommunications Commission web site at "www.ci.sf.ca.us/telecommunications_commission".
- As per President Ellington's request at the July meeting, DTIS has developed recommendations for the roles that the Commissioners can play in the Telecom Plan. DTIS hopes that President Ellington and Commissioner Masaoka will continue to participate in assisting the Department on the development of the outline statement.
- DTIS would also appreciate the Commissioners' input on the discussion guides for the small business focus groups, as well as having one Commissioner sit behind the two-way mirror for each of the focus groups. DTIS will send the Commissioners a breakdown on the focus groups for their review.
- DTIS would like to have the Commissioners' participation on the Early Input Roundtable, regarding recommendations on whom DTIS should invite to participate, the development of the questions, and well as attendance at the Roundtables.
- In addition, DTIS would appreciate the Commissioners' participation in the Public Feedback Hearing as members of the host panels.
- DTIS would appreciate Vice President Jackson's continued involvement with the Internal Needs Assessment RFP.

- Comment

Commissioner Masaoka stated that she was glad that the Department would like her and President Ellington to continue giving their input for the plan outline. Ms. Brady stated that she would have the staff setup another meeting to continue the discussions.

In response to Commissioner Engel's question, Ms. Brady stated that the Early Input Roundtable is meant to be advisory, and involve groups such as SPUR, BOMA, and representatives from various other associations that would represent a large group of stakeholders. Commissioner Masaoka asked how many Early Input Roundtables would be conducted. Ms. Brady stated that she would follow-up with that information.

President Ellington pointed out how intrinsically important and a part of the process the public will be in formulating the Telecom Plan. He requested a timeline and a turnaround time from DTIS.

Commissioner Lira requested a clear description of the focus groups and the public participation process, as well as an explanation of the expected input from the Commissioners and how the input will be used.

Commissioner Masaoka requested a written report on the Telecom Plan, prior to next month's meeting, including: a revised plan since the last meeting of Commissioners Masaoka and Ellington with the Department; progress to date; and a revised timeline. Vice President Jackson requested that with this report, a list be provided of the Policy, Planning and Compliance team members and their responsibilities as they relate to the Telecom Plan.

President Ellington commended SPUR's op-ed piece in the San Francisco Chronicle for its accuracy, particularly in regards to what a challenge it is for DTIS and the Commission to develop a Telecom Plan.

- Public Testimony: None.

b) Peg (Public, Education, Government) Channels Update

(1) PEG Channels Update

Ms. Brady gave the update on PEG. She reported that as of September 1, 1999, the management of the Public Access channel has been transferred from AT&T to the San Francisco Community Television Corporation (CTC). DTIS is in final negotiations with CTC over the grant agreements and the actual term of the management contract. The most challenging issue is the delay in occupying 25 Van Ness, which will not be available until late October. Interim office space is being worked out by utilizing some AT&T office space, and the CTC is investigating the availability of interim office space at 50 Oak.

The Board of Supervisors today passed (7 to 4) a non-binding resolution urging continuing CTC's contract for managing the Government Channel. DTIS opposed this resolution, and will consider the Board's action before moving forward.

The Government Channel was recently elevated to a mission-critical status for Y2K, so DTIS staff is rapidly pursuing inventory and compliance certification, and remediation plans where necessary.

- Comment

President Ellington asked for clarification on the non-binding resolution.

Commissioner Masaoka asked for clarification on a statement from Denise Brady in the San Francisco Guardian, where Ms. Brady was quoted as saying that the Department had decided to take the Government Channel into the Department. Ms. Brady informed the Commission that she was misquoted, and that the decision to make the Government Channel employees part of the City happened prior to the creation of DTIS and this Commission.

Commissioner Masaoka wondered if the Telecommunications Commission could discuss making an advisory non-binding resolution to the Department. Ms. Brady stated that such discussion would require an action item on a future agenda. Commissioner Masaoka requested that the Department hold off on any decision regarding this issue until the Commission could discuss this issue at the next meeting.

A discussion ensued amongst the Commissioners about CTC managing the Government Channel. Commissioners Lira, Masaoka and Ellington expressed that they are inclined to supported an independent organization, either CTC or another organization, running the channel.

- Public Testimony: None.

(2) Public Access Channel Update

Zane Blaney, CEO, CTC, gave an update on the Public Access Channel. Mr. Blaney discussed the transfer of management of the Public Access Channel from AT&T to the CTC. He stated that AT&T is in agreement with the CTC that the playback facilities are not in compliance with the cable franchise and they have agreed to completely replace the wiring in the control room and in the studio. He thanked Doug Schulz, Area Manager, AT&T Cable Services, for making this investment. Mr. Blaney briefly reviewed the lease terms and a layout of the space at 50 Oak.

- Comment

Commissioner Engel requested that in Mr. Blaney's next report before the Commission, he specify how the CTC expects to make up any expenses shortfall with fundraising activities. Mr. Blaney stated that the CTC would be aggressive in their fundraising efforts, but that it was unprecedented for any access center to raise the hundreds of thousands of dollars it would take to complete this kind of facility.

- Public Testimony

Zane Blaney discussed the BOS's vote to continue CTC's contract for management of the government channel and issues related to that management contract. He believes that there was intense lobbying on behalf of DTIS to convince the Supervisors not to approve this resolution. He welcomes a more expansive discussion of the contract prior to its expiration.

[In response to Mr. Blaney's remarks, the following comments were made.]

Commissioner Engel requested that the CTC provide the following additional information to the Commission at the September meeting: a description of CTC's

government access policies that they've been operating the channel under; a report on the quality and the extent of the programming that has been on the channel; and a report on any complaints and/or compliments that the CTC has received on their management of the channel. Commissioner Engel also requested a report from DTIS.

Vice President Jackson expressed his concern over Mr. Blaney's statement regarding lobbying efforts, and stated that there should be an opportunity to have clarification on both sides before moving forward on this issue.

Commissioner Engel requested a copy of the BOS' resolution.

A discussion ensued between Commissioner Engel and President Ellington regarding cable and open access issues.

[Commissioner Lira excused himself from the remainder of the meeting due to a prior commitment.]
[Commissioner Engel excused herself from the remainder of the meeting due to a prior commitment.]

6. New Business

a) RCN Franchise Application

Ms. Friedlander stated that RCN has submitted an application to the BOS for a cable television franchise. The Department is in the process of reviewing the application, and a full report will be given at the September meeting.

- Comment

In response to Commissioner Masaoka's question, Ms. Friedlander clarified the process for the RCN application.

- Public Testimony: None.

b) Draft Wireless Communications Facilities Tower Siting (WTS) Guidelines Report

Charlotte Barham of the Department of City Planning (DCP) gave an overview of the draft WTS Guidelines.

- Comment

President Ellington asked how the Commission could be helpful in defining the guidelines. Ms. Barham stated that the Commissioners' comments on the guidelines would be useful. In response to President Ellington's further inquiry,

Ms. Barham stated that due to the Telecommunications Act of 1996, the DCP no longer deals with health issues that are related to wireless facilities.

President Ellington asked about rates and rules for placing a private antennae on a public facility. Ms. Friedlander stated that she believed the City's Department of Real Estate handled those matters.

In response to President Ellington's question on the types of public, preferred location sites, Ms. Barham stated that they are: police stations, fire stations, libraries, post offices, community centers, publicly owned parking garages, water towers, elevated roadways, bridges, flag poles, smokestacks, or telephone switching facilities. Ms. Friedlander requested that Ms. Barham review the types of facilities that were in the 1996 guidelines, and have been removed from these proposed guidelines. Ms. Barham stated that they were: schools, hospitals, houses of worship, health centers or other institutional structures.

In response to Vice President Jackson's inquiry, Ms. Barham discussed the health issue and the fact that this issue is outside the department's scope due to the Telecommunications Act.

In response to President Ellington's question, Ms. Barham stated that DCP would appreciate comments back from the Commissioners within a week. Ms. Barham concurred with Commissioner Masaoka's suggestion of having each Commissioner provide their own individual comments on the guidelines. In response to Vice President Jackson's question, Ms. Ferrari stated that individual feedback does not constitute an action by the Commission. Ms. Brady requested that comments be given to the Policy, Planning and Compliance Division, who will in turn communicate them to the City Attorney's office and the DCP.

In response to Commissioner Masaoka's question, Ms. Barham stated that there are approximately 100 wireless telecommunications services facilities with permits in San Francisco. They anticipate approximately 20 applications per year (a slight decrease), which would add an additional 60 facilities over the next three years. Ms. Friedlander gave a brief background to help explain why the number of applications has decreased. At President Ellington's request, Ms. Barham will obtain a map for the Commissions that shows the locations of the facilities.

- Public Testimony: None.

7. Calendar Matters

Commissioner Masaoka requested that updates be given on the open access issue at each Commission meeting through January.

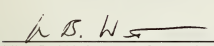
- Comment: None.
- Public Testimony: None.

8. Public Comment: None.

9. Adjournment

President E. David Ellington adjourned the meeting at approximately 7:31 p.m.

Respectfully submitted,



Kim B. Weisman, Commission Secretary

Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, September 27, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

DOCUMENTS DEPT.
SEP 29 1999
SAN FRANCISCO
PUBLIC LIBRARY

1) CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

2) APPROVAL OF THE MINUTES

- Adoption of the Minutes of August 23, 1999 regular meeting

  a) Comment

  b) Public Testimony

3) COMMUNICATIONS

- See attached description of correspondence

  a) Comment

  b) Public Testimony

4) **DIRECTOR'S REPORT**

a) Comment

b) Public Testimony

5) OLD BUSINESS

a) Open Access Update

(1) Comment

(2) Public Testimony

b) RCN Franchise Update

(1) Comment

(2) Public Testimony

c) PEG (Public, Education, Government) Channels Update

(1) PEG Channels Update (Denise Brady, Deputy Director, DTIS)

(a) Comment

(b) Public Testimony

(2) Public Access Channel Update (Zane Blaney, CEO, San Francisco Community Television Corporation (CTC))

(a) Comment

(b) Public Testimony

(3) Discussion of Management of Citywatch (Channel 54: Government Channel)

(a) Comment

(b) Public Testimony

d) Telecommunications Plan Update

(1) Comment

(2) Public Testimony

e) 415 Area Code Update

(1) Comment

(2) Public Testimony

f) WIRELESS TELECOMMUNICATIONS SERVICES (WTS) Resolution (Action Item)

URGING THE PLANNING COMMISSION TO ADOPT THE WIRELESS TELECOMMUNICATIONS SERVICES FACILITIES SITING GUIDELINES AS DEVELOPED BY THE CITY'S PLANNING DEPARTMENT AND TO INCLUDE THE GUIDELINES IN THE SAN FRANCISCO GENERAL PLAN.

(1) Comment

(2) Public Testimony

6) NEW BUSINESS

- Report on Process for Amendments to the Cable Television Franchise Agreement

a) Comment

b) Public Testimony

7) CALENDAR MATTERS

a) Comment

b) Public Testimony

8) PUBLIC COMMENT

9) ADJOURNMENT

COMMUNICATIONS RECEIVED August 17 – September 23, 1999

1. Letter from TCI dated August 25, 1999, discussing the update in transition to the AT&T name;

2. TCI's quarterly complaint log;

3. Packet: Letter from David Hankin, RCN, dated September 7, 1999, copy of RCN's check for cable television application fee, dated September 3, 1999, and letter of receipt for the check from the Board of Supervisors, dated September 7, 1999;

4. Packet: Letter from Sue Levitin, AT&T, dated September 8, 1999, announcing the start of the upgrade of AT&T's cable system, and a booklet outlining the resident notification plan;

5. AT&T "Update on the Broadband Revolution" newsletter, dated September 9, 1999;

6. Packet: Letter from Sue Levitin, AT&T, dated September 10, 1999, describing the packet contents: an op/ed piece in the San Francisco Chronicle and an amicus brief submitted by the FCC to the Ninth Circuit Court of Appeals. Both items related to the open access issue;

7. AT&T brochure, outlining San Francisco's cable system upgrade;

8. Letter from Sue Levitin, AT&T, dated September 13, 1999, and AT&T "Update on the Broadband Revolution" newsletter, dated August 18, 1999;

9. Packet: Letter from Linda Crayton, AT&T, dated September 17, 1999, discussing the forced/open access issue; white paper on forced access; op/ed piece about open access from the San Jose and Silicon Valley Business Journal; and

10. Packet from Zane Blaney, CEO, San Francisco Community Television Corporation (CTC), dated September 23, 1999, addressing issues related to the CTC as requested by Commissioner Engel at the August 23, 1999 Commission meeting, including: copy of the program policies of the Government Channel; report on the quality and extent of programming that has been on the Government Channel; and any complaints/compliments that the CTC has received on its management of the Government Channel.

SUNSHINE ORDINANCE

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American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MINUTES*

MONDAY, SEPTEMBER 27, 1999
CITY HALL

ROOM 400

DOCUMENTS DEPT.

OCT 20 1999

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR MEETING
5:30 P.M.

COMMISSIONERS

E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka

Julia M. C. Friedlander
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

* Subject to the approval of the Telecommunications Commission

Order of Business

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 5:36 P.M.

President Ellington called roll for the Commission.

Present: E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel, Commissioner
John Lira, Commissioner

Arrived mid-meeting:
Jan Masaoka, Commissioner

2. Approval of the Minutes of August 23, 1999 Meeting

Commissioner Engel made a motion, seconded by Commissioner Lira, to adopt the minutes of August 23, 1999. The Commission moved to adopt the minutes with four ayes [Ellington, Jackson, Engel, Lira], none opposed. Commissioner Masaoka was not present to vote.

- Comment: None.
- Public Testimony: None.

3. Communications

President Ellington briefly reviewed communications sent to the Commission.

- Comment: None.
- Public Testimony: None.

4. Director's Report

Julia Friedlander stated that after 14 months as Acting Director of DTIS, this would be her last meeting as Acting Director at the Telecommunications Commission. Her last day in the department will be October 1, at which time she will be returning to the City Attorney's office, as Senior Counsel for Technology and Government.

She stated that it has been a great adventure and a true honor to work with the DTIS employees as Director over the last year.

Ms. Friedlander relayed some of the Department's accomplishments on key priority projects over the past year.

- The Department installed a new telephone switch in City Hall and successfully transitioned 1200 City employees to new telephone and computer equipment when City Hall reopened.
- With significant impetus from President Ellington and Vice President Jackson, the Department worked with COIT to launch the Citywide Year 2000 (Y2K) Program Management Office to ensure that all of the City's mission critical systems are Y2K ready. In the same time period, the Department staff managed to complete dozens of Y2K compliance upgrades and projects.
- In connection with the 911 project, the Department installed new local area networks in all police and fire district stations and contracted for the installation of a high-speed data network connecting key public safety sites.
- Also in connection with the 911 project, the Department secured the responsibility to support and maintain the new technical systems that are being put in place to support the dispatch of public health and safety emergency personnel and to support the day-to-day management of the Police and Fire Departments.
- The Department began regular testing of its hotsite backup capabilities to ensure that the major citywide applications running out of the Data Center can be restored in the event of a disaster.
- The Department hired the first staff for the Policy, Planning and Compliance Division, to give the City its first non-legal staff focused full-time on telecommunications policy issues that affect the City.
- The Department contracted for and received the first major project that will be incorporated into the City's Telecommunications Plan and contracted for several other components.
- The Department updated their rate structure, resolved major budget shortfalls that had interfered with its ability to provide good service to its City department customers, and secured funding to make major improvements to the City's wide area network and to replace a significant amount of outdated equipment on which DTIS staff has been relying.
- The Department launched many new applications for City departments, including the Human Rights Commission, the Ethics Commission, and the Recreation and Parks Department, and launched projects to create major new systems to replace the existing Court Management System and the Retirement Membership Accounting System.
- The Department saw monthly page views on the City's web site increase from 412,000 to more than one million.
- The Department launched a new Department wide employee recognition program.

Ms. Friedlander thanked the Commission members who have worked closely with the Department and all of the DTIS staff who have given their best effort to the Department, to the City and to its residents over the last year.

Ms. Friedlander introduced Liza Lowery, the new DTIS Director. Ms. Lowery comes to DTIS from her position as Chief Information Officer for the City of Milpitas. Prior to that position, she worked for many years for the Hillsborough County, Florida, Information Technology (IT) Department. In Milpitas, Ms. Lowery was responsible for Milpitas' Y2K project and for a public safety project that has much in common with DTIS' 911 project. In both jurisdictions, Ms. Lowery significantly expanded the IT department and saved taxpayer money by reducing reliance on outsourcing.

Ms. Lowery thanked Ms. Friedlander for her comments and for her assistance over the past two weeks. She stated that it is an honor and a privilege to be at the Department, and she looked forward to working with the Commissioners and the Board of Supervisors. She also stated that she was delighted to learn that the City had a Telecommunications Commission and that they were in the process of developing a Telecommunications Plan. In closing, she committed the good efforts of the Department to face all of the challenges that they have coming their way.

- Comment

Commissioners Ellington, Jackson, Engel and Lira each thanked Ms. Friedlander for her service to the Department, and welcomed Ms. Lowery.

- Public Testimony: None.

5. Old Business

a) Open Access Update

Ms. Friedlander gave an update on the Open Access issue. She reviewed the Board of Supervisors (BOS) resolution, signed on August 6, 1999 by Mayor Brown, that established City policy supporting open non-discriminatory access to broadband Internet access services. This resolution asked the City Attorney's office to submit an amicus brief to the 9th Circuit Court of Appeals, in AT&T's appeal of the District Court decision that had upheld the City of Portland's right and power to impose this requirement on AT&T. This brief was filed on September 14, 1999. The oral argument for this case is scheduled for November 3, 1999.

The resolution also asked the Department to monitor the market for broadband access and to gauge the necessity of imposing an Open Access requirement within the City. It further asked the Department and the Commission to report back to the BOS by December 15, 1999 on the legislative, regulatory, judicial, and technical developments, and also to make a formal recommendation to the BOS on how to proceed on this issue.

In order to prepare a comprehensive report on this issue, the Department is issuing a Request for Information (RFI). This is a formal request for written comments from interested parties on different strategies that the City might use to implement the Open Access policy that has been adopted by the Board and approved by the Mayor.

Ms. Friedlander stated that the RFI is expected to be finalized and issued by the end of this week and reviewed some of the questions that will be used in the RFI. Opening comments will be due in October and reply comments are expected by November, which the Department will report on at the November Commission meeting.

- Comment

President Ellington asked if Ms. Friedlander would still be participating in the document that will be sent to the Board. Ms. Friedlander answered that if she did, it would be in the capacity of a Deputy City Attorney, and that the document will be prepared and presented by Ms. Brady and her staff.

- Public Testimony:

Supervisor Tom Ammiano, President, BOS, asked if the Board could receive a copy of the RFI. Supervisor Ammiano stated that he co-sponsored an ordinance today with Supervisor Yaki that calls for the Government Channel to be managed by an independent non-profit. He asked that the Commission not move on this issue until there is more direction from the Board, and he appreciated the Commission listening to that request.

b) RCN Franchise Update

Ms. Friedlander gave an update on the RCN Franchise. She stated that on July 30, 1999, RCN submitted a franchise application to the Clerk of the BOS, and pursuant to the City's administrative code, the application was referred to the Department for evaluation. On September 15, 1999, the Department submitted a report to the BOS and the Commission, providing a full analysis and evaluation of RCN's application. Ms. Friedlander briefly reviewed the findings of that report.

Ms. Friedlander discussed the BOS Resolution, sponsored by Supervisor Katz, which calls for the Telecommunications Commission to hold a public hearing on the RCN franchise.

- Comment

President Ellington asked how the October meeting will be publicized. Ms. Friedlander replied that the DTIS staff would provide the Commission with that information.

- Public Testimony: None.

c) PEG (Public, Education, Government) Channels Update

(1) PEG Channels Update

Deputy Director Denise Brady gave an update on the PEG channels. She stated that she is meeting with Bruce Smith, the new Dean for City College, on issues related to the Education Channel.

She stated that DTIS is very pleased that the San Francisco Community Television Corporation (CTC) has taken over management of the Public Access Channel as of September 1, 1999, and shortly thereafter received a grant agreement from the City.

- Comment

Commissioner Lira asked about the content of Ms. Brady's discussion with City College, and encouraged her to discuss programming with the Dean.

- Public Testimony: None.

(2) Public Access Channel Update

Zane Blaney, CEO, CTC, gave an update on the Public Access channel. Mr. Blaney discussed, as per Commissioner Engel's request at the September meeting, CTC's fundraising plans for the Public Access Channel. The long-range fundraising plan includes:

- A fundraising event prior to the end of the year;
- Review of the grants that the Mayor's Office of Community Development will have available in October, and apply for any grants, especially in the areas of training, that might be appropriate;
- Seeking meetings with the Sony, JVC and Panasonic Corporations philanthropic departments to find additional equipment resources;
- Considering a telethon on the channel prior to the end of the fiscal year;
- Developing a structured membership system, which would include membership fees, and perhaps fees for classes and workshops;
- Providing production services for the community, perhaps through the rental of the production facilities at commercial rates for use by non public access users;
- Charging fees for making dubs and/or the sale of video tapes;
- Conducting a direct mail campaign;
- Asking local broadcast stations for donations of surplus equipment;
- Looking at corporate underwriters and non-profit foundations; and
- Conducting an aggressive newsletter campaign.

- Comment

President Ellington asked if they would solicit funds on behalf of the CTC for the Public Access facility. Mr. Blaney replied that they will do what they can to raise money for the new facility, and discussed the various types of funding that was needed.

In response to President Ellington's question, Mr. Blaney replied that the largest amount of money that the CTC has raised, outside of a government grant, was $80,000 over the last six years, primarily for Citywatch, the Government Access Channel. These were grants from the Corporation for Public Broadcasting and the National Telecommunications Information Agency. This money went towards captioning equipment for the Government Access Channel, as well as the Bulletin Board Amiga platforms with the Scala billboard on them.

President Ellington asked if there is anyone in the organization whose job is dedicated to fundraising. Mr. Blaney replied that he sees that as part of his responsibility, and will receive assistance from several of his board members. President Ellington asked if there is a development plan in place. Mr. Blaney stated that at 50 Oak there are some interesting synergies for development opportunities.

In response to President Ellington's question, Mr. Blaney stated that the CTC's staff includes himself and Business Manager, Aaron Vinck. They have also recently hired the five former AT&T Public Access staffers, and also have a part-time staff position to be filled.

Vice President Jackson inquired about the progress on the van. Mr. Blaney replied that he was anxious to continue discussions with the Department on the van, and that they were told that the issue of the van would be taken up again after the transition of Public Access.

Vice President Jackson asked if in terms of CTC's forecasting, would they be including the van. Mr. Blaney stated that if the CTC were authorized and empowered to do so, they would definitely be encouraging a discussion of the van and would want to include that in their list of needs for the City's PEG channels.

Ms. Brady stated that the van is next in line for the PEG group to work on, once they secure the interim site for the Public Access channel. What she and Zane have discussed is that they need to finalize the tenant improvements needed for Public Access. Depending on the remaining monies and what is needed for both the Government and the Public Access Channel, they will then look at what kind of budget they can put together for the van.

Commissioner Lira asked who decides which programs are captioned for the hearing impaired. Mr. Blaney responded that the only meeting that is currently captioned is the Mayor's Disability Council, and he believes that the Council pays for that service. The Transportation Authority was captioned up until a year ago, but has not funded further captioning. Mr. Blaney stated that he believed that a request has been made of the City to research and determine the cost of captioning all of the meetings on the Government Access Channel.

At Commissioner Lira's request, Ms. Brady stated that she would send the Commissioners a copy of the report that the Department had originally prepared at the request of Supervisor Becerril. President Ellington asked Commissioner Lira that after he has reviewed the data, to let him know if he would like this item on the agenda.

Commissioner Engel thanked Mr. Blaney for his report and commented that his plan sounded fairly comprehensive.

Mr. Blaney thanked AT&T Cable Services and General Manager, Doug Schulz, for the rewiring that was done for Public Access.

Public Testimony: None.

(3) Discussion of Management of Citywatch, Channel 54, Government Channel

Ms. Friedlander gave a report on the management of Citywatch. She said that in August 1999, the BOS adopted a resolution urging the Department to continue the contract with the CTC for assisting the City in management of Citywatch, the Government Channel. Today, at the BOS meeting, a request was made by Supervisor Yaki for the City Attorney to "draft an ordinance that would direct that the government cable channel be operated and managed by an independent non-profit organization."

Ms. Friedlander reviewed the background for the Department's decision not to renew CTC's contract. While the Department appreciated the views of the BOS, it did not feel that it was in the best interest of the City or the citizens of San Francisco to continue the contract. Ms. Friedlander stated that the original purpose of the CTC, created in 1986, was to assume control of the Public Access Channel, not the Government Channel. Because the cable operator at the time strongly objected to non-profit management, the CTC's principal reason for existence was frustrated for many years. As of September 1, 1999, the CTC finally assumed responsibility for management of the Public Access Channel.

In 1993, long before DTIS was created, the CTC volunteered to help the City launch Citywatch, and the City owes thanks to the CTC for their part in helping to establish the Government Channel. In connection with launching the Channel,

the CTC was given a contract to manage and staff the Channel. For the first three years, the staff were employees of the CTC. In 1996, before DTIS was created, virtually all of the staff that was working on the Government Channel was transferred from the CTC payroll to the City's payroll. As a result, the staffing and the management were split between the City and the CTC. At this time, the CTC was given a much smaller contract to cover those management services provided by the CEO of the CTC, some funds for supplies and as needed services. In 1998, after it had become clear through an agreement with TCI that the CTC would be able to assume management and control of the Public Access channel, the City hired an Executive Producer, Priscilla Watts. Ms. Watts immediately assumed significant responsibility for management of the Channel and has introduced many improvements.

Ms. Friedlander stated that the decision of the Department to not continue the contract does not result in the layoff of a single City employee, and the salary of the CEO is fully funded out of the $1.3 million grant for Public Access. Ms. Friedlander stated that it is not effective to split the management of the staff between the City and a non-profit entity, because there are no clear lines of authority or accountability, which has caused numerous problems over the past year. It is therefore the view of the Department that the Channel should be fully staffed and managed by City employees or outsourced, but not split between the two.

Ms. Friedlander stated that the Department has conducted extensive research to see how other cities manage their government channels. Virtually every city that they contacted manages their own channel, even when they had a non-profit managing their public access channel.

The Department believes that the current needs of the Channel are not consistent with continuing the contract with the CTC. Since the Channel has moved into City Hall, the Channel is technologically capable of significantly increasing the coverage of more City meetings. The only constraint on expanding the coverage is the current staffing level. Ms. Friedlander stated that the Department would like to see the funds that are currently, as they see it, going towards duplicative management services be directed to frontline production costs.

Ms. Friedlander stated that the CTC has raised several objections to the City taking over management of the Channel. One objection is the potential for political misuse.

The Department does not believe that this is an issue, because there has been no record of any problems of political misuse in the past, and foresees no risk for political misuse in the future. The City would continue to operate the Channel under the policies as established by the CTC, which state that the Channel is not intended as a political resource, but as a critical government resource. The

Department feels that it would be very useful for the Commission and the Board to consider and formally adopt these policies, with advice and input from the Ethics Commission. There is concern from the Department of a situation where City employees are reporting to a non-profit board that is not elected by the citizens of the City nor has any oversight by the City.

Ms. Friedlander stated that another issue raised by the CTC is that there is an opportunity for shared resources of PEG resources. The Department believes that those opportunities exist regardless of who has management of the Channel. The CTC has also asserted that they can obtain and maintain equipment more quickly than the City can. The Department feels it is fully appropriate for DTIS to acquire equipment in a way that is consistent with the policies that have been adopted by the voters, the charter and the BOS.

Ms. Friedlander stated the Department believes that the decision not to renew the contract with the CTC is the best decision for the citizens of San Francisco, and asked for the support of the Commission and the BOS.

- Comment

President Ellington asked DTIS to provide a report on the research that was performed by the Department on the management of other cities' government channels and if they are under the oversight of committees, commissions, etc.

Commissioner Lira thanked Ms. Friedlander for her report. In response to his question, Ms. Friedlander stated that the Mayor had not signed the resolution that was passed by the Board. Commissioner Lira asked when the decision of the Department is effective. Ms. Friedlander replied that the contract had originally expired on June 30, but that the Department had extended it for three months to ensure that the CTC would not be without funding prior to their receipt of the $1.3 million dollar funding for Public Access. The contract extension expires at the end of September.

At the request of Commissioner Lira, Ms. Friedlander re-clarified the August BOS resolution and today's BOS request for an ordinance. Commissioner Lira asked why, if the Department had already made the decision, the Commission was hearing this issue at this time. Ms. Friedlander stated that because the BOS resolution was passed immediately before the August Commission meeting, the issue of management of the Government Channel was not able to appear on the agenda and therefore the Department did not have an opportunity to give a full briefing to the Commission.

Commissioner Lira stated that the Commission is an insignificant player in this issue, because the original case was brought to the BOS and is being heard and discussed by the BOS. Commissioner Lira asked, therefore, what was the purpose of the Commission hearing this issue at this time. Ms. Friedlander

stated that it was not the Department's decision to take this issue before the BOS. The Department was responding to the request made by the CTC, and that it was the Department's duty and obligation to inform the Commission on issues of this kind. Commissioner Lira stated that it would be useful if the Commission were brought into issues like this before they reached this level of discussion.

President Ellington asked the Commission if the BOS had contacted any of the members. None of the Commissioners had been contacted.

- Public Testimony

Sue Bierman, Supervisor, BOS, submitted a letter to the Commission expressing her disappointment with the decision by DTIS to terminate CTC's contract. She stated that the resolution would go into effect, even without the Mayor's signature, because it had passed by a majority vote of the BOS; only a veto by the Mayor can stop legislation. She strongly urged the Commission to consider continuing the management of the Government Channel by an independent, nonpartisan, non-profit corporation. She commended Mr. Blaney on his work with the Government Channel.

June Gutfleisch, aide to Supervisor Bierman, explained that the legislation that was passed today asked the City Attorney to prepare an ordinance that would require that the management of the Government Channel would be done by a non-profit corporation.

Mr. Blaney stated that he couldn't respond in the time given to the statements made tonight by Ms. Friedlander, but would do so in writing, and continued to discuss issues related to the management of the Government Channel.

[In response to Mr. Blaney's comments, the following discussions occurred:

Commissioner Engel had several questions. To her inquiries, Mr. Blaney responded that the CTC never overran the budget and did not receive any complaints from the public other than on issues related to technical difficulties with programming. He stated that the CTC has never received any complaints from City staff about the management of the Channel or the supervision of their work. When asked if the majority of cities have channels that are run by non-profit or city staff, Mr. Blaney stated that he did not have that information. Commissioner Engel asked if he felt that the management of the Channel is currently being duplicated. He responded that there is only one management of the Channel, and that is the CTC. He stated that it was the Department's decision to insert itself into the management of the Channel, and therefore the Department had developed a dual management. In response to Commissioner Engel's final question, Mr. Blaney stated that the CTC's board did feel that the CTC is capable of running both [Public Access and Government] Channels.

Commissioner Lira commended Mr. Blaney on his work. He asked who decides which City Commissions are televised. Mr. Blaney stated that it was an economic decision based on budget issues. Commissioner Lira requested that DTIS provide him with a copy of the survey, conducted by Ms. Watts, on which Commissions would like to be televised.

Ms. Friedlander spoke about the duplicative management at the Channel and how difficult it is to have a manager, CTC, that neither supervises the staff nor manages a budget, and how that leads to accountability difficulties.]

Jim Sowers spoke in favor of CTC's management of the Government Channel, mentioned the C-Span model, and how he is impressed with Mr. Blaney's dedication.

Holli Thier, Co-President, League of Women Voters (LWV) of San Francisco, urged the Commission to give its support to the continued management of the Government Channel by CTC.

[In response to Ms. Thier's comments, the following discussions ensued:

President Ellington stated that since his arrival at the Commission, he had known about CTC's management issues, and expressed his concern that no one at the BOS contacted him about this issue. He stated that he did not receive a call from Mr. Blaney about this issue until the Friday prior to tonight's Commission meeting.

Commissioner Lira asked if DTIS had sought input from the Ethics Commission regarding the issue of potential political misuse of the Channel. Ms. Friedlander stated that they had not, but believed that it would be useful.]

Sybil Boutilier submitted a letter to the Commission and discussed her reasons for supporting the BOS resolution and CTC's management of the Government Channel.

[In response to the public testimony, the following discussion ensued:

President Ellington requested that the discussion be broadened. He requested an explanation for why, if the CTC does not manage the City employees or controls the budget, they are called the managers of the Government Channel. He asked the Commissioners for their thoughts on if the City were to manage the Channel, the possibility of providing oversight of that management by a committee or a commission.

June Gutfleisch, aide to Supervisor Bierman, stated that up until 1996, members of the BOS were not allowed to address a City commission. She further stated that it is not the policy of any of the Supervisors' offices to communicate directly

with any commissioners. She said that they deal with City department staffs all the time, and it is the responsibility of those staffs to communicate with their commission. President Ellington responded to Ms. Gutfleisch's comments.

Mr. Blaney stated that the DTIS staff had plenty of opportunities to present this issue to the Commission. He stated that he has the responsibility of the day-to-day quality control and operations of the Channel, and that when there is a technical problem he directs the City employees to fix it. He stated that the Department installed Priscilla Watts in an operational office. President Ellington asked Mr. Blaney why he didn't request this item be placed on the Commission agenda and why he went to the BOS. Mr. Blaney replied that it is not his responsibility to bring issues to the Commission. He felt that this [the management of the Government Channel] is a policy decision for the BOS and the Mayor of the City and County of San Francisco, and not necessarily a policy decision for this Commission.

Commissioner Masaoka asked if the management of the CTC would be taken into the Department. Ms. Friedlander replied that they have decided not to continue the existing contract. Commissioner Masaoka asked who would manage Citywatch when this contract expires. Ms. Friedlander replied that the Department feels that the current Executive Producer has already been managing Citywatch and will continue to do so. She stated it was her understanding from the CTC that their #1 priority has always been the management of the Public Access Channel, and that they were just managing the Government Channel as a favor to the City. In response to Commissioner Masaoka's question, Ms. Friedlander stated that it is always possible for the Department to put out a competitive bid for the management of the Channel.

Commissioner Engel and Ms. Friedlander discussed the Department making the decision to not renew the contract without involving the Commission, which Ms. Friedlander replied was a basic administrative decision.

Commissioner Lira stated that while maybe the CTC is not the best company for this contract, he supports a non-profit running the Government Channel.

President Ellington stated that today's request for an ordinance discusses a non-profit running the Channel, but did not mention the CTC, and pointed out that this discussion was being focused as if they were only talking about the CTC.

Ms. Friedlander stated that there would be no action by the Department until they know if there will or will not be an ordinance passed by the BOS, and that they can not act in anticipation of the actions of the BOS. She stated that the Department would support the Board as they gather information to further inform them about the views of the Department regarding this issue.

Commissioner Masaoka stated that she is disappointed in the way that this issue has come before the Commission. She requested that a resolution be placed on the next agenda regarding putting the management of the Government Channel out to bid. Commissioner Engel added that such a resolution should include the extension of CTC's contract, until such time that this is put out to bid.

Vice President Jackson asked about the issue of a non-profit being accountable for a government entity. Commissioner Engel responded that in the time that the CTC has managed the Channel, there have been no reported difficulties with respect to their accountability. Ms. Friedlander clarified that she did not make any allegations about poor performance on the part of the CTC, but the Department does not feel it is effective to have dual management of the Channel. Commissioner Masaoka stated that she feels the Channel is a very powerful medium, and that there is no way to guarantee its impartiality. She restated her support for putting the management of the Channel out to bid.

President Ellington stated that he is very much for efficiency, didn't foresee any problems with the City managing the Channel and discussed his preference for an outside advisory group that can oversee the Channel for accountability. He stated that he would like the CTC to focus on the Public Access Channel, and not try to juggle two things at once. Commissioner Lira stated that he agreed with President Ellington that there is no reason to believe or speculate that the City would not "highjack" the Channel, but restated his belief that the Channel should be managed by a non-profit.]

Ellison Horne, President, Board of Directors, CTC, stated that he appreciated the Commissioners having this discussion and suggested that the Commissioners review last month's Commission meeting tape to review their previous comments on this issue. He suggested extending CTC's contract for another three years, because they have so much credibility in running the Government Channel.

In response to Mr. Horne's comments, President Ellington asked if the CTC is prepared to respond to an RFP (Request for Proposal.) Mr. Horne stated that they were.

Niels Erich stated that independent management was very important and discussed the CSPAN model as an analogy for the issue of the City's management of the Government Channel.

In response to Mr. Erich's comments, a discussion ensued between President Ellington and Mr. Erich about this CSPAN analogy.

Supervisor Bierman stated the public loves the Government Channel and that it is a tremendous service to the public.

In response to Supervisor Bierman's comments, Vice President Jackson thanked the Supervisor for being here this evening, and asked how it would be possible for the Commission to work better with the BOS. Supervisor Bierman responded that the BOS would try to communicate more with the Commission.

President Ellington and Commissioner Masaoka thanked the Supervisor for attending the Commission meeting.

Michael Freeman spoke about his positive experience with the CTC, and how it brings integrity at the highest level, has pushed to improve and maintain the station's quality level, and has maintained excellent staff relations.

Holli Thier, Co-President, LWV, gave the Commission a press release stating the position of the LWV, and thanked the Commission for their thoughtful discussion. She stated that she believed the CTC should manage the channel with a citizen oversight board, and that the LWV would like to work closely with the Commission in the process.

Sybil Boutilier spoke about funding for captioning.

The Commissioners and Ms. Friedlander made closing comments on the issue of the management of the Government Channel. Commissioner Masaoka requested that the discussion of the management of the Government Channel be placed on the October agenda.

Sybil Boutilier discussed the CTC's contract ending and the relationship of the Citywatch employees to the CTC.

d) Telecommunications Plan Update

Ms. Brady briefly reviewed the current project of the DTIS Policy, Planning and Compliance Division staff, the revised timeline and the scheduled follow-up meeting on the Telecom Plan with DTIS and Commissioners Ellington and Masaoka.

- Comment

President Ellington thanked the Division for their staff project update, and requested this update on a monthly basis.

Commissioner Masaoka asked if the timeline that the Commission received is the plan that is currently in place, and asked about the impact of putting some of the Telecom Plan items on hold. Ms. Brady stated that this is the current timeline, and that the extension is the result of a delay in getting out the RFP.

- Public Testimony: None.

e) 415 Area Code Update

Heidi Sieck, DTIS Regulatory Analyst, gave an update on the 415 Area Code issue. She stated that DTIS and the City Attorney have been developing a petition to prevent the overlay in the 415 area code. Two weeks ago, the Federal Communications Commission granted additional authority to the California Public Utilities Commission (PUC) to pursue other numbering allocation methods. The day after that occurred, the PUC reversed the overlay in the 310 area code. Subsequently, there has been a delay in some of the overlays in California. DTIS and the City Attorney are currently evaluating the most appropriate use of their resources and time in order to determine the best way to prevent an overlay in the 415 area code.

- Comment: None.

- Public Testimony: None.

f) Wireless Telecommunications Services (WTS) Resolution

President Ellington continued this item until the October meeting.

- Comment: None.

- Public Testimony: None.

6. New Business

- Report on Process for Amendments to the Cable Television Franchise Agreement

Per Commissioner Masaoka's request at the September meeting, Deputy City Attorney Christine Ferrari gave a report on the process for amendments to the Cable Franchise to the Cable Television Franchise agreement (Section 29.) She stated that the 1997 amendments included terms that permit the City to provide unilateral amendments to the franchise agreement, provided they satisfy the following criteria: 1. Reflect service requirements changes on advances in technology, 2. Are substantive in nature, 3. Effect a significant number of subscribers, and 4. Doesn't fall within the categories of amendments that are specifically prohibited.

- Comment:

Commissioner Masaoka stated that she appreciated the summary, and asked who is working on preparing the amendments. Ms. Friedlander replied that other than the Department reviewing if Open Access would be appropriately addressed through a unilateral amendment, the Department has not taken the initiative to

address specific issues because they feel it would be appropriate to have a public hearing. This would be held before the Commission, well in advance of the December date. Commissioner Masaoka asked that when the public hearing is held, the discussions be expanded to include other possible amendments, in addition to Open Access.

- Public Testimony: None.

7. Calendar Matters

President Ellington requested an update on the RFI at the October meeting.

The Commission discussed and agreed to change the November meeting date from the 22nd to the 15th, and the December meeting date from the 27th to the 20th. The location and the time remain the same.

- Comment: None.

- Public Testimony: None.

8. Public Comment: None.

9. Adjournment

President E. David Ellington adjourned the meeting at approximately 8:57 p.m.

Respectfully submitted,

Kim B. Weisman, Commission Secretary

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Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, October 25, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

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1) CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

2) APPROVAL OF THE MINUTES

- Adoption of the Minutes of September 27, 1999 regular meeting

  a) Comment

  b) Public Testimony

3) COMMUNICATIONS

- See attached description of correspondence

  a) Comment

  b) Public Testimony

4) INTRODUCTION

- Introduction of Dr. Bruce Smith, Dean at City College of the School of Liberal Arts and the Castro/Valencia Campus. Among Dr. Smith's responsibilities is the supervision of Channel 52, the Education Access Channel.

  a) Comment

  b) Public Testimony

5) DIRECTOR'S MONTHLY REPORT

  a) Comment

  b) Public Testimony

6) OLD BUSINESS

  a) Wireless Telecommunications Services (WTS) Resolution (Action Item)

     URGING THE PLANNING COMMISSION TO ADOPT THE WIRELESS TELECOMMUNICATIONS SERVICES FACILITIES SITING GUIDELINES AS DEVELOPED BY THE CITY'S PLANNING DEPARTMENT AND TO INCLUDE THE GUIDELINES IN THE SAN FRANCISCO GENERAL PLAN.

     (1) Comment

     (2) Public Testimony

  b) Open Access Update

     (1) Comment

     (2) Public Testimony

  c) The California Channel and Kaleidoscope Programming Update

     (1) Comment

     (2) Public Testimony

d) Cable Television Franchises

(1) RCN

- Application Update and Public Hearing

(a) Comment

(b) Public Testimony

(2) Unilateral Amendments to the Existing AT&T Cable Television Franchise Agreement

- Update Report

(a) Comment

(b) Public Testimony

e) Telecommunications Plan Update

(1) Comment

(2) Public Testimony

f) 415 Area Code Update

(1) Comment

(2) Public Testimony

7) CALENDAR MATTERS

- Commission Meeting Date Changes (Time & Location Remain the Same)

a) November 22 meeting changed to November 15

(1) Comment

(2) Public Testimony

b) December 27 meeting changed to December 20

(1) Comment

(2) Public Testimony

8) PUBLIC COMMENT

Comment

a) Public Testimony

9) ADJOURNMENT

COMMUNICATIONS RECEIVED SEPTEMBER 21 – OCTOBER 19, 1999

1. Letter from Sue Bierman, Supervisor, San Francisco Board of Supervisors, urging the Commission to support of management of the City's Government Channel by an independent, nonpartisan, non-profit corporation (presented at the September 27, 1999 Commission meeting);

2. Press release from Holli Their, League of Women Voters, urging the Commission to support the San Francisco Community Television Corporation (CTC) continuing it management of the City's Government Channel (presented at the September 27, 1999 Commission meeting);

3. Letter from Sybil Boutilier, urging the Commission to support Supervisor Bierman's resolution to continue the management of the City's Government Channel by the CTC;

4. AT&T "Update on the Broadband Revolution" newsletter, dated October 7, 1999;

5. Letter from Sue Levitin, AT&T, dated September 27, 1999, regarding the fiber optic upgrade and the door hangers that will be used to notify residents when there is construction in their neighborhood, and a sample of the door hanger;

6. Letter from Sue Levitin, AT&T, dated September 29, 1999, regarding the change in the look of the cable bill, and information about the Digital Coast Roundtable;

7. Letter from Sue Levitin, AT&T, dated September 24, 1999, regarding an op/ed piece by Andrie Krauson affordable high-speed Internet access, and a copy of the op/ed piece;

8. A brochure for the Cities of the Future Conference, being held on December 7 & 8 in Sacramento;

9. Letter from Sue Levitin, AT&T, dated October 11, 1999, regarding cable channel changes;

10. AT&T "Update on the Broadband Revolution" newsletter, dated October 7, 1999; and

11. Letter from Sue Levitin, AT&T, dated October 15, 1999, regarding cable programming line-up changes.

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

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American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
Policy, Planning and Compliance Division
Telephone: (415) 554-4443 Fax: (415) 554-0854

Unilateral Amendments to the Existing AT&T Cable Franchise Agreement

Please find following a brief summary of the terms of the unilateral amendment process set forth in Section 29 of the San Francisco Cable Television Franchise.

The Franchise permits the City to impose additional obligations on AT&T without AT&T's consent. At three (3) year intervals after and beginning with December 1, 1999, the Telecommunications Commission may recommend Franchise amendments to the San Francisco Board of Supervisors.

The Board may adopt the amendments recommended by the Commission, provided that the amendments:

- Reflect changes in service requirements based on advances in technology or demonstrated community needs;
- Are substantive in nature; and
- Affect a significant number of subscribers.

The unilateral amendment process permits the City to take advantage of new telecommunications technology and respond to changes in the community by enhancing the service obligations of the franchise holder.

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However, the unilateral amendment process is limited by the terms of the Franchise.

Specifically, the Board may not adopt amendments that require the franchise holder to:

- Increase the level of cable service to public buildings;
- Increase the amount of money the franchise holder pays the City to support cable facilities, including drops in public buildings, products or services for City use, or capital expenditures, including expenditures for the Public, Education, or Government (PEG) channel facilities and equipment;
- Add PEG channel origination locations or change existing locations;
- Provide additional operation or management of PEG channels or PEG channel programming;
- Provide additional money to support the City's provision of PEG programming or digital compression of PEG programming;
- Provide additional facilities or equipment or operating grants to support the PEG channels, except for specific enumerated exceptions;
- Provide additional conduit for City use;
- Provide more than one low-income rate;
- Expand the City's power to unilaterally amend the Franchise;
- Construct a dedicated institutional network for the City use; or
- Expand the area in which the franchise holder is required to provide service.

Section 29.1 permits the Board to adopt at any time unilateral amendments recommended by the Commission that increase the franchise holder's obligations to pay grants to the City, or any entity designated by the City to manage and control any PEG channel, for the acquisition and replacement of equipment for the PEG channels or for operating expenses for the PEG channels. However, any such amendment must be approved by 30% of subscribers pursuant to a secret ballot.

Please note that this paper addresses only the scope of the unilateral amendment process under the terms of the Cable Franchise Agreement.

FOR IMMEDIATE RELEASE
OCTOBER 8, 1999

Contact: Denise Brady
415/554-7011

CITY SEEKS PUBLIC INPUT ON RCN CABLE FRANCHISE APPLICATION

San Francisco: The Telecommunications Commission, in conjunction with the City's Department of Telecommunications and Information Services (DTIS), is hosting a public hearing on RCN's Cable Television Franchise application.

This public hearing is aimed at receiving input from the public about the RCN Cable Television Franchise application, which is currently under review by the City. The City is particularly interested in benefits provided by RCN in exchange for the privilege of doing business in the City. These benefits typically include funding for the Public, Education and Government (PEG) Channels and telecommunications services and facilities for the City (e.g., free modem service to libraries, cable wiring of government buildings, conduit for city use, fiber optic facilities). The hearing will also address any other matters of interest to cable subscribers concerning a possible new, second cable operator.

Copies of RCN's cable franchise application can be reviewed on the Commission's web site at www.ci.sf.ca.us/telecommunications_commission, at the Board of Supervisors, City Hall, 1 Dr. Goodlett Place, 2nd Floor, or at the San Francisco Main Library, Government Documents section, 5th Floor.

Interested parties may participate by attending the public hearing or providing their feedback in writing via email to Telecommunications_Commission@ci.sf.ca.us or via regular mail to Telecommunications Commission, 875 Stevenson, 5th Floor, San Francisco, CA 94103. Comments must be received by Tuesday, October 19 to be noted in the communications section of the agenda. All other comments will be noted on later agendas.

The public hearing is scheduled to take place at the regular monthly meeting of the Telecommunications Commission on Monday, October 25, 5:30 p.m., City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400, San Francisco. The meeting may be viewed live by San Francisco cable subscribers on cable Channel 54.

Please note that the Open Access issue will not be discussed at this hearing. Comments regarding Open Access will be heard during the November 15, 1999, Commission meeting.

- end -

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CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

Released: October 20, 1999

IMPORTANT TIME SENSITIVE NOTICE

OPEN ACCESS REQUEST FOR INFORMATION

The dates for submitting comments for the Open Access Request for Information (RFI) released October 4, 1999 are extended by five days. Opening comments are now due by the close of business October 27, 1999 rather than October 22, 1999. Reply comments are now due by the close of business November 8, 1999 rather than November 3, 1999. The closing date for the electronic forum has also been extended to November 15, 1999 from the original date of November 10, 1999.

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TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MINUTES

MONDAY, OCTOBER 25, 1999
CITY HALL

ROOM 400

REGULAR MEETING
5:30 P.M.

COMMISSIONERS

E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka

Liza Lowery, Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)

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Order of Business

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 5:38 P.M.

President Ellington called roll for the Commission.

Present: E. David Ellington, President
Bonnie Engel, Commissioner
Jan Masaoka, Commissioner

Excused
Absences: Ernest Jackson, Vice President
John Lira, Commissioner

2. Approval of the Minutes of September 27, 1999 Special Meeting

Commissioner Masaoka made a motion, seconded by Commissioner Engel, to adopt the minutes of September 27, 1999. The Commission moved to adopt the minutes with three ayes [Ellington, Engel, Masaoka], none opposed.

- Comment: None.
- Public Testimony: None.

3. Communications

President Ellington briefly reviewed list of communications sent to the Commission.

- Comment: None.
- Public Testimony: None.

4. Introduction

Denise Brady, Deputy Director, introduced Dr. Bruce Smith, Dean at City College of the School of Liberal Arts and the Castro/Valencia Campus. Among Dr. Smith's responsibilities is the supervision of Channel 52, the Education Access Channel. Dr. Smith made brief remarks to the Commission.

- Comment: None.
- Public Testimony: None.

5. Director's Report

Liza Lowery, the new Director for DTIS, gave her first DTIS update to the Commission and reported on the following:

- Last week, in conjunction with the Treasurer's Office, the web team launched one of the first online applications for City business, an online business license renewal program. Next in line for City business are requests for birth and death certificates online.
- The web team updated the Department of Elections web site to provide an online guide to polling places.
- The Network Engineering and Network Facilities staff handled the cutover to the new PBX phone system at Laguna Honda Hospital.
- The Citywatch channel won the Overall Excellence in Community Media award at the Western Access Video Excellence (WAVE) Awards, as well as being a finalist in two other awards.
- DTIS continues to work on Y2K issues. Recently, we have participated in public hearings and community events. The remediation efforts on the mission critical systems are expected to be completed by November 15 and then be validated by the Y2K Program Management Office (PMO). DTIS continues to focus on Departmental contingency planning.
- DTIS continues to work on its maintenance operations plans as it prepares to cutover to the new 911 public safety systems.
- DTIS has several new hires, notably a new analyst, Eve Eichwald in the Policy, Planning & Compliance (PP&C) Division, and a new budget analyst.
- PP&C Division staff update.

  - Comment: None.
  - Public Testimony: None.

6. Old Business

a) Wireless Telecommunications Services (WTS) Resolution.

At the request of the City Planning Department, this item was continued to the Call of the Chair.

- Comment: None.
- Public Testimony: None.

b) Open Access Update

Ms. Lowery gave a brief update on the open access issue.

Ms. Lowery reviewed a Board of Supervisors (BOS) resolution, directing DTIS, the City Attorney's office and the Telecommunications Commission to report on the open access issue by December 15, 1999. This resolution also supports

non-discriminatory access to broadband access services and non-discriminatory access to all content on the Internet.

On October 4, 1999, DTIS issued a Request for Information (RFI) on the technical and economic issues concerning implementation of the open access policy. In response to a request by Supervisor Katz, DTIS extended the deadline five days for opening comments to October 27, 1999. Reply comments have been extended until November 8, 1999.

Supervisor Katz has also requested legislation that would extend, by one week, the amount of time that DTIS, the City Attorney's office and the Telecommunications Commission have to report back to the BOS on open access. That additional time will allow the Commission to hear pubic comment on the open access issue at the November 15, 1999 meeting, as well as review the draft report at the December 20, 1999 meeting prior to its being submitted to the BOS.

- Comment:

Commissioner Engel encouraged the public to make their comments known on the open access issue.

- Public Testimony:

Philip Babcock, representing two community organizations as Vice President of the Harvey Milk Lesbian, Gay, Bisexual, Transgender Democratic Club and Board Member of San Francisco Tomorrow, urged the Commission to seriously look at unilaterally amending Section 29 of the AT&T's franchise agreement with in regards to open access, and commended RCN for considering open access on their system.

c) The California Channel and Kaleidoscope Programming Update

Ms. Lowery gave an update on The California Channel and Kaleidoscope programming issue.

Ms. Lowery reviewed Commission Resolution #99-013, April 26, 1999, asking the BOS to consider removing The California Channel and Kaleidoscope from the Public Access Channel 53 and relocating those programs to the Education Channel 52 or the Government Channel 54.

Last week, the Public Utilities and Deregulation (PU&D) Committee heard a Board resolution. DTIS told the PU&D that they would do what the BOS directed them to do regarding this issue, although DTIS does have three concerns. First, DTIS believes that if these programs are dropped completely, there will be an impact on viewers who rely on that programming. Second, moving the programming to Channel 54 will likely have a fiscal impact in excess of $10,000.

Third, there are policy issues to be considered as to whether The California Channel programming would be aired live or via playback.

The PU&D committee did not vote on this issue, but forwarded the issue to the full Board without a recommendation. There was limited public testimony at the PU&D meeting on this issue. At today's BOS meeting, the Board asked if any outreach had been done to viewers regarding this issue. DTIS reported that it was not aware of any special outreach beyond posting and distribution of agenda to date. Supervisor Bierman asked that this item be sent back to committee.

DTIS is not opposed to removing the programming from Public Access or placing The California Channel on the Government Channel if a timeslot can be found for the programming. DTIS does have some concerns with carrying Kaleidoscope, because existing policy does not allow for carriage of programming on the Government Channel.

Ms. Lowery stated that DTIS is currently preparing some options to be presented to the PU&D committee.

- Comment:

President Ellington requested a copy of the programming options.

Commissioner Engel asked if there was a timetable on the programming decision. Ms. Lowery informed her that the PU&D will be meeting next month, and that DTIS is currently preparing a report that will include programming options. Commissioner Engel asked if it would be possible to put a character-generated message along the bottom of the programming on The California Channel and Kaleidoscope. Ms. Lowery stated that the decision would lie with the San Francisco Community Television Corporation (CTC) and the Public Access Channel.

- Public Testimony

Gilbert Criswell, Co-Host of the Public Access program Electric City, urged the Commission to take The California Channel and Kaleidoscope off the Public Access Channel.

Zane Blaney, CEO, CTC, stated that the message scrolling on The California Channel and Kaleidoscope are controlled by the cable provider, and is beyond CTC's control.

Mr. Blaney asked the Commission to consider the impact of having The California Channel and Kaleidoscope programming on Public Access. He stated that the CTC is currently working with the San Francisco disability community to produce their own programming about themselves to be placed as non-commercial programming for this community on Public Access.

Ms. Lowery thanked Mr. Blaney for his comments.

d) Cable Television Franchises

(1) RCN: Application Update and Public Hearing

President Ellington gave a background report on the RCN Cable Television Franchise application.

President Ellington reviewed that the Commission and the Department were created to do everything possible to promote open and fair competition among telecommunications providers within the City. The RCN application gives the Commission and the Department an opportunity to achieve that goal by facilitating the entry of a new competitor for multichannel video, high-speed Internet service and voice service.

President Ellington stated that the BOS today passed a resolution urging the Commission to hold a public hearing about "possible terms and conditions of an RCN franchise that would best meet community needs, including requirements for PEG channels and services for City use." President Ellington stated that the issues that the BOS has requested the Commission to address are some of the most contentious aspects of the franchise negotiations, and to the extent that the Commission can help resolve these issues quickly, they can promote competition within the City.

Ms. Lowery gave an update on the franchise process. She stated that DTIS takes their charge very seriously to promote open and fair competition among the City's telecommunications providers, and they believe that RCN will provide much needed competition for residential consumers for multi-channel video, high-speed Internet access and telephone service.

Ms. Lowery stated that today, by passing Supervisor Katz's resolution, the BOS has given DTIS the tools needed to negotiate a cable franchise with RCN. In addition to urging the Commission to hold this hearing on the franchise terms and conditions, the resolution authorizes DTIS to collect the necessary information to complete the review of the franchise application and to report back to the BOS. The resolution urges DTIS and the City Attorney to prepare an ordinance containing proposed revisions to the Administrative Code, within ten days of the effective date of the resolution. In addition, the resolution allows DTIS to begin negotiation on possible terms and conditions for the franchise with RCN and urges the City Attorney to prepare placeholder legislation by December 6, 1999.

Ms. Lowery reported that RCN has begun providing additional information requested by DTIS. The City Attorney's office, working with DTIS, is preparing legislation that will modify the Administrative Code to clarify the franchise approval process and establish certain requirements for all carriers; Supervisor

Kaufman has indicated that she will sponsor this legislation. DTIS has begun negotiations with RCN, who hopes to receive a franchise by March 7, 2000. Paul Sigmund, Executive Vice President, RCN and David Hankin, Vice President, Regulatory and Government Affairs, RCN, gave a brief presentation on the background of RCN and the technical capabilities of its system. Mr. Sigmund stated that their headquarters are based in Princeton, NJ and their local headquarters are in San Mateo, CA.

Mr. Sigmund stated that in the cities where RCN currently provides services, these include cable television with 110 analog channels; 90 of these channels are included in the basic tier package, and no converter is needed to view these channels. There is an additional digital tier, which includes 60 more channels. RCN also provides phone and Internet service. Currently, 85% of the network is reserved for new services.

- Comment

In response to Commissioner Engel's questions, Mr. Sigmund reviewed the process of how the cable would reach the home and that pricing for services is either based on individual services or on bundled packaged services.

In response to Commissioner Engel and President Ellington's questions, Mr. Sigmund stated that RCN has not yet made a decision on the open access issue.

In response to Commissioner Engel, Mr. Sigmund stated that RCN would be required under the agreement to provide PEG (Public, Education and Government) Channels monies and adhere to the same "must-carry" requirements as the incumbent cable provider.

- Public Testimony

As introduction to public testimony, President Ellington stated that the BOS resolution asks the Commission to focus public hearings on two basic areas, the services or facilities for the City's use and support for Peg.

President Ellington further reviewed that the BOS asked DTIS to solicit input from City departments and that DTIS consulted with COIT (Committee on Information Technology) staff to identify City departments with planned projects that might benefit from the increased connectivity. President Ellington requested that the Commission first hear from those departments. Ms. Brady reviewed DTIS' meeting with COIT.

Sandy Rosen, COIT, stated that one of the tasks of COIT is to review the annual Information Technology (IT) projects by all City departments and is therefore aware of all the IT initiatives planned throughout the City. This is one of the reasons that DTIS contacted COIT, who provided DTIS with a list of departments that would benefit from an enhanced City infrastructure. Mr. Rosen briefly

discussed a Department of Human Resources project that would benefit from an enhanced infrastructure.

Jim Beals, Information Systems (IS) Manager, Department of Public Works (DPW), spoke about the importance of Citywide data connectivity. He stated that this is critical to DPW's effectiveness to respond in an emergency, because they are one of the key departments to respond in a disaster or any type of civic emergency. DPW currently relies upon the public telecommunications network providers for four separate areas of DPW. Mr. Beals further stated that DPW sees an enhanced infrastructure as an opportunity to improve their ability to respond to the public in the event of a disaster.

James Albert, Chief Information Officer (CIO), MUNI, spoke about their wide-area network across the City, which also relies upon the public telecommunications network, at great expense, from Pacific Bell. He stated that it would be very nice if the City had its own network with high-speed bandwidth sufficient to carry video all over the City. MUNI is currently using the Human Resources software from Peoplesoft, which also requires high bandwidth. Mr. Albert urged the Commission to get as much service out of RCN in the franchise contract as possible.

Greg Troyan, IS Administrator, Department of Parking and Traffic (DPT), stated that the infrastructure improvement would be a great benefit to DPT's proposed Integrated Transportation Management System, which would replace the current static signaling system with a more advanced, interactive system that could be managed from a centralized control center. This system would receive input from video cameras mounted on high traffic intersections and viewed in real time at the control system. In the event of an accident, traffic lane blockage, etc., the operator could adjust the signals and reroute traffic and notify the people in the traffic through electronic messaging signs.

Roberto Esteves, CI and Resource Management, Library, stated that the library is the City's primary information delivery agency. In January, the Library is moving to a Web based catalog as the basic delivery mode for information. The Library now has more people reaching them through the Internet then they do walking through the doors at their 27 branches throughout the City. They are so concerned about the expansion of the Internet, that they are wiring all branches with T-1 lines this coming year and are looking to have computer labs in almost all of their facilities. The library is developing the most comprehensive community databases possible and is working with other libraries the Bay Area to develop shared resources. Mr. Esteves stated that he was looking forward to working on these issues with the Commission.

President Ellington asked Mr. Sigmund if RCN was planning on creating its own content. Mr. Sigmund stated that they were, as RCN is now part of Paul Allen's new company called Broadband Partners. President Ellington asked if RCN

would poll the citizens in this area for what kind of content they want. Mr. Sigmund stated he is receptive to the idea.

Commissioner Engel asked if RCN was ever going to have fiber go to the home directly. Mr. Sigmund stated that this is what they engineered their networks to do in the future.

Commissioner Masaoka asked the representatives from the City who spoke during public testimony if they were speaking from an assumption that the City would be switching to the RCN network and what their priorities are for RCN's franchise agreement.

Ms. Brady responded to Commissioner Masaoka's question by reviewing some of the previous RCN contracts in other cities in terms of connectivity, which include capacity on a network, dark fiber and/or conduit for a city's use.

In response to Commissioner Masaoka, Mr. Esteves stated that there are issues and needs for the library system that are not currently covered by the existing franchise agreement with AT&T, and these issues needed to be looked at again.

President Ellington asked for public comments on other subjects related to the RCN agreement.

Mr. Blaney stated that it was quite thrilling to hear the City discussing the potential of fiber connection for the City and he spoke about various uses for the additional fiber. He stated that he was happy to hear Mr. Sigmund state that their position on PEG channels is to match the current cable operator's.

Lee Jewel spoke about the importance of having AT&T's Lifeline cable rates also be provided by RCN. He suggested that RCN provide neighborhood production facilities, so communities can produce their own programs to put on Public Access.

Michael Freeman spoke about the AT&T cable franchise agreement and asked the Commission to consider a series of issues before entering into a contract with RCN. He stated that RCN's proposed PEG channels contribution needed to be changed to provide greater funding.

Sybil Boutilier stated her concerns about RCN's application, specifically in regards to ensuring that special rates be provided to all low-income or disability customers.

Mr. Jewel echoed Ms. Boutilier's comments.

Commissioner Engel asked if these special rates would only apply to the cable franchise. Ms. Brady stated that RCN is considering cable modem as a "cable service" and so it would apply to both the cable franchise and cable modem

service agreements, but that the special rates for telephone services are regulated outside of the City. In response to Commissioner Engel's suggestion, Ms. Brady stated that it would be helpful to have the people who were involved in the Viacom negotiations to come and give their ideas to DTIS regarding the RCN franchise agreement. Ms. Brady asked Ms. Boutilier to give her a call later in the week to discuss that idea.

(2) Unilateral Amendments to the Existing AT&T Cable Television Franchise Agreement: Update Report

Ms. Brady gave an update on the unilateral amendments, and presented a summary document on the issue. She stated that it is DTIS' intention tonight to hear if there is any further public comment on this issue or the summary document, which was sent out with the October agenda. Ms. Brady stated that DTIS is recommending that the Commission hold a public hearing on this issue sometime after the first of the year, and reviewed that there would be a public hearing on open access at the November Commission meeting.

- Comment

In response to Commissioner Masaoka's question, Ms. Brady stated that there is a six-month window for unilateral amendments, beginning in December.

President Ellington requested that Ms. Brady phone him to discuss this issue further.

- Public Testimony: None.

e) Telecommunications Plan Update

Ms. Brady introduced Eve Eichwald, Telecom Plan Manager for PP&C division of DTIS. Ms. Eichwald thanked Ms. Brady for her comments.

Heidi Sieck, Regulatory Analyst, DTIS, gave an update on the Telecommunications Plan. Ms. Sieck reviewed the four phases of the plan: Collecting information, analysis of findings of that information, community participation and drafting the plan. Ms. Sieck discussed the final portion of the collecting information phase, the Internal Needs Assessment (INA). As reported last month to the Commission, the Request for Proposals (RFP) was released in August. Since that time, the evaluation committee has reviewed the proposals received and last week finished the interviewing process. The committee is now in the process of selecting a contractor and will be negotiating a contract over the net several weeks. Ms. Sieck stated that the INA is the critical path of the overall project, which determines how the City uses telecommunications internally and with the citizens of the City. She stated that the timeline is on schedule.

- Comment:

President Ellington welcomed Ms. Eichwald to the Department. Commissioner Masaoka asked if there were any anticipated changes in the Telecom Plan timeline right now. Ms. Brady stated that there were no changes.

- Public Testimony: None.

f) 415 Area Code Update

Ms. Sieck gave an update on the 415 area code issue. The City filed a petition with the California Public Utilities Commission (PUC) requesting the overlay and 1+ 10 digit dialing in the 415 area code be delayed and suspended until the numbering situation in San Francisco can be properly evaluated to determine if the 415 area code is in fact exhausted. Comments were received on Friday, and the City of Los Angeles filed comments in support of the City's petition. At the same time, some of the telecommunications providers are filing applications that are against halting the implementation of overlays in Los Angeles. DTIS will be discussing these issues further with two members of the BOS who have sponsored legislation in regards to numbering issues.

- Comment: None.

- Public Testimony: None.

7. Calendar Matters

The Commissioners reviewed the date changes for the November and the December meetings. The November meeting has been changed from November 22 to November 15 and the December meeting has been changed from December 27 to December 20. The time and location remain the same.

- Comment:

Commissioner Engel stated that she might not be able to attend the December Commissioner meeting.

- Public Testimony: None.

8. Public Comment:

Gilbert Criswell discussed his belief that there should be a consistent standard for the City's various commission web sites, his dismay that several departments do not post their meetings online, and his belief that a link from the City Attorney's page to an outside article was unethical.

In response to Mr. Criswell's comments, Ms. Lowery stated that the Department is working on developing new guidelines and offered to discuss Mr. Criswell's concerns with him further after the meeting.

9. Adjournment

President E. David Ellington adjourned the meeting at approximately 7:30 p.m.

Respectfully submitted,

Kim B. Weisman, Commission Secretary

Department of Telecommunications and Information Services
City and County of San Francisco

SPECIAL NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, November 15, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 263

Please note that the Telecommunications Commission meeting will be moved from Room 400 to Room 263 for the November 15, 1999 meeting.

If you have any questions, please contact Kim Weisman at 415/554-4443.

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Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, November 15, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

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1) CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

2) APPROVAL OF THE MINUTES

- Adoption of the Minutes of October 25, 1999 regular meeting

  a) Comment

  b) Public Testimony

3) COMMUNICATIONS

- See attached description of correspondence

  a) Comment

  b) Public Testimony

4) DIRECTOR'S DTIS REPORT

- Monthly Report on Department's Accomplishments

a) Comment

b) Public Testimony

5) OLD BUSINESS

a) Telecommunications Plan Update

(1) Comment

(2) Public Testimony

b) Open Access

(1) Update

(a) Comment

(b) Public Testimony

(2) Public Hearing

(a) Comment

(b) Public Testimony

c) RCN Update

(1) Comment

(2) Public Testimony

d) 415 Area Code Update

(1) Comment

(2) Public Testimony

e) Public Access Channel 53 Update

(1) Comment

(2) Public Testimony

6) NEW BUSINESS

a) Pacific Bell Directory Assistance (Action Item)

- Proposed Resolution

URGING THE CALIFORNIA PUBLIC UTILITIES COMMISSION TO APPROVE AN ALTERNATE DECISION INTRODUCED BY COMMISSIONER CARL W. WOOD THAT SETS FORTH PACIFIC BELL DIRECTORY ASSISTANCE RATES AT A LOWER RATE AND A HIGHER NUMBER OF FREE RESIDENTIAL CALL ALLOWANCES THAN THE PREVIOUS DECISION PROPOSED BY ADMINISTRATIVE LAW JUDGE GALVIN.

(1) Comment

(2) Public Testimony

b) AT&T Cable Services Channel Lineup Change

(1) Comment

(2) Public Testimony

7) CALENDAR MATTERS

a) Commission December Meeting Date Changed from December 27th to December 20th

(1) Comment

(2) Public Testimony

b) Proposed Dates for Commission and DTIS Workshop

(1) Comment

(2) Public Testimony

8) PUBLIC COMMENT

a) Comment

b) Public Testimony

9) ADJOURNMENT

COMMUNICATIONS RECEIVED OCTOBER 20 – NOVEMBER 5, 1999

1. Invitation from AT&T to tour the Redwood City, California facilities of @ Home.
2. Email from James Brady, received October 21, supporting open access.
3. Email from R. Lee Jewell, received October 26, supporting open access.
4. Letter from Sue Levitin, AT&T, dated October 29, 1999, regarding channel changes on AT&T's cable services and the rebuild of the digital service, and customer discounts on long distance service.
5. Letter and cable complaint log from Pablo Berroteran, AT&T, dated October 30, 1999.

Please Note:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.

- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.

- The Telecommunications Commission web site address is www.ci.sf.ca.us/Telecommunications_Commission.

- General written materials submitted by the public for the Telecommunications Commission review, that are not associated with a specific deadline, should be mailed to The Telecommunications Commission, 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.

  Comments should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All communications received after this date will be listed on future agendas.

- Telecommunications Commission documents are available for public review on the Commission's web site (see address above) or at the San Francisco Main Pubic Library, 5th Floor, Government Documents section.

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 415/554-6083.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at (no quotes) "www.ci.sf.ca.us/ethics/".

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DISABILITY ACCESS

The San Francisco City Hall is wheelchair accessible. Accessible seating for persons with disabilities, including those using wheelchairs, is available.

The closest accessible BART station is the Civic Center station, located at the intersection of Grove, Hyde, and Market Streets.

Accessible MUNI bus lines serving City Hall are the 19 Polk, 42 Downtown Loop, 9 San Bruno, and the 7 Haight/Noriega. Accessible MUNI lines are the J, K, L, and M. Disabled parking is available at designated points along Van Ness, McAllister, Grove, and Polk streets. For more information regarding MUNI accessible services, call 415/923-6142.

Individuals with severe allergies, environmental illness, Multiple Chemical Sensitivities, or other disabilities should contact (415) 554-6060 or TDD/TTY at (415) 554-6252, for inquiries. In order to assist the City in accommodating persons with such disabilities, attendees at all public meetings are reminded that other persons may be sensitive to chemically based products. Please help the City to accommodate these individuals.

American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

SUMMARY OF RESPONSES TO
OPEN ACCESS
REQUEST FOR INFORMATION (RFI)

The Department of Telecommunications and Information Services (DTIS) issued a Request for Information (RFI) to solicit comments from interested parties regarding the issue of "open access."

Opening Comments to the RFI were due on October 27, 1999 and Reply Comments were due November 8, 1999. Below is a summary of the opening comments received by DTIS.

Opening Comments Received
25

Summary of Positions

Generally Supporting Open Access (not specifically a requirement) - 7

Supporting an Open Access Requirement by the City - 9

Opposed to an Open Access Requirement by the City - 9

Summary of Respondents by Interest Group

Cable Service Providers/Cable Assn - 2

ISPs - 5

Interest Groups for the Disabled or Minorities - 3

Internet and Telecommunications Advocacy Groups - 5

Other Community Interest Groups - 5

Individuals - 4

General Themes of Comments
Below are examples of the general tone of respondents' comments. The following is not intended to represent an exhaustive summary.

- Parties supporting "open access" believe that it is an important policy that fosters competition, better prices and benefits to consumers.
- Opponents of "open access" argue that the market should be allowed to decide the business arrangements of cable operators and ISPs.
- Should the City chose to impose an "open access" requirement, supporters advocating this requirement believe that the details of business arrangements, technical requirements, and interconnection will be addressed by the cable operator and ISPs in good faith negotiations.
- Most parties suggesting an "open access" requirement do not feel that the City should be involved in the direct regulation of rates, interconnection, or technical standards.
- Parties opposed to an "open access" requirement involving interconnecting ISPs believe that the requirement would jeopardize the benefits of broadband cable modem service such as network reliability and speed.

A copy of the RFI is available on the Telecommunications Commission website at: www.ci.sf.ca.us/telecommunications_commission. Copies of the comments and reply comments are available for review at the San Francisco Public Library Main Branch, 5th Floor, Government Documents section.

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TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MINUTES

MONDAY, NOVEMBER 15, 1999
CITY HALL

ROOM 400

REGULAR MEETING
5:30 P.M.

COMMISSIONERS

E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka

Liza Lowery, Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)

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Order of Business

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 5:34 P.M.

President Ellington called roll for the Commission.

Present: E. David Ellington, President
Bonnie Engel, Commissioner
John Lira, Commissioner

Excused Absences: Ernest Jackson, Vice President
Jan Masaoka, Commissioner

2. Approval of the Minutes of October 25, 1999 Special Meeting

Commissioner Engel made a motion, seconded by Commissioner Lira, to adopt the minutes of October 25, 1999. The Commission moved to adopt the minutes with three ayes [Ellington, Engel, Lira], none opposed.

- Comment: None.
- Public Testimony: None.

3. Communications

President Ellington briefly reviewed list of communications sent to the Commission.

- Comment: None.
- Public Testimony: None.

4. Director's Report

Liza Lowery, DTIS Director, gave a DTIS update to the Commission and reported on the following:

Y2K (Year 2000)

- The majority of the mission critical systems have moved into Y2K readiness, which has been reviewed and verified by the Y2K Project Management Office (PM0).
- The first draft of the contingency plan has been submitted to the Y2K PMO for review and the Department has conducted training on the plan for New Year's Eve.
- The Department participated in two exercises at the Emergency Operations Center.

- The Department supported a Roll Forward test of the Interim Computer Aided Dispatch (ICAD) at the 911 Center.
- The Department is currently preparing the Department's New Year's Eve staffing schedules.

Elections
- The Department supported the Office of Elections by posting returns both on Citywatch and on Cityspan, the City's website.

Administrative
- Director Lowery held her first quarterly department wide meeting.
- The budget process has begun for Fiscal Year 2000 – 2001.
- Currently evaluating the Department's Policies and Procedures.

- Comment:

Commissioner Lira asked if DTIS knew who would be working on December 31st. Ms. Lowery replied that DTIS would continue to have its 7 day 24 hour schedule to operate its systems. In addition, the Department is required by the Y2K PMO to have a Departmental Operations Center (DOC). Top level management will be available, and DTIS will have command centers at the main computer room at One Market Plaza, staff at the Hall of Justice, and staff at the Rankin Street facilities.

Public Testimony: None.

5. Old Business

a) Telecommunications Plan Update.

Eve Eichwald, Telecom Plan Project Manager, gave an update on the Telecom Plan. Ms. Eichwald reported that the Plan is continuing according to the established timeline. In her first week as Project Manager, Ms. Eichwald reported that she has reviewed existing documents, contracts and Request For Proposals (RFPs) for the Plan's component projects, met with the vendors doing the small business survey portion of the Plan, and selected a vendor to do the Internal Needs Assessment (INA). The next order of business is to meet with the vendor doing the large business focus groups, getting the public participation process and timeline together, doing ongoing work on the Plan outline, and developing a feedback mechanism for the Commission. Ms. Eichwald stated that it does not appear that either the small or large business contracts will impact the overall project timeline, although it is not clear at this juncture whether the INA will effect the timeline.

- Comment:

President Ellington requested that Ms. Eichwald set up a meeting to discuss the Plan further.

- Public Testimony: None.

At the request of President Ellington, the Commission heard the following agenda items out of order.

c) RCN Update

Deputy Director Denise Brady gave a brief update on RCN. She stated that RCN and DTIS held negotiations on the Cable Franchise Agreement on November 2, 1999, and the next session is scheduled for November 17, 1999. RCN submitted a second set of data on November 5, 1999. DTIS and the City Attorney hope to have a draft of the revised Administrative Code on December 1, 1999.

- Comment:

Commissioner Engel asked if there was a timetable for the Administrative Code changes. Ms. Brady stated that she would provide one for the Commission.

- Public Testimony: None.

d) 415 Area Code Update

Heidi Sieck, DTIS Regulatory Analyst, gave an update on the 415 Area Code issue. Ms. Sieck stated that as reported previously, DTIS and the City Attorney's office filed a petition with the California Public Utilities Commission requesting that the planned overlay in the 415 area code be suspended. Ms. Sieck stated that an Administrative Law Judge of the CPUC released a Draft Decision granting the 415 Petition, in addition to suspending area code overlay plans in four or five other area codes. Comments on the Draft Decision are due on November 22, 1999, and DTIS is currently working with the City Attorney's office to draft those comments.

- Comment

Commissioner Engel asked about the outcome. Ms. Sieck reported that the CPUC will take comments on that draft decision, and then it will be heard by the full Commission. Ms. Sieck informed the Commission that she would get back to them on the date for this hearing once it is scheduled.

- Public Testimony: None.

e) Public Access Channel 53 Update

Ms. Brady gave the Channel 53 update. Ms. Brady reported that as of November 1, 1999, the San Francisco Community Television Corporation (CTC) has leased suites 100 and 140 at 25 Van Ness and the CTC is scheduled to move in next week. DTIS is continuing to work with CTC to locate studio space that will be needed next spring when the lease at the current studio at 1855 Folsom expires.

- Comment:

Commissioner Engel asked if the lease expiration date is known. Ms. Brady replied that she believed it was in March 2000, and because it is unclear at this time whether AT&T will extend that lease on a month to month basis, they need to plan for the March date. Commissioner Engel asked if there has been any further process on the 50 Oak Street site. Ms. Brady replied that CTC is still in negotiations with the landlords at that site. Commissioner Engel asked if the Supervisors' have ruled on the California Channel. Ms. Brady replied that this would have been addressed in tomorrow's Public, Utilities and Deregulation (PU&D) Committee meeting, but that meeting has been canceled, and that the item should be heard at the PU&D's next regular meeting.

- Public Testimony: None.

b) Open Access

(1) Update

Ms. Lowery gave the update on the Open Access issue. She stated that DTIS continues to collect information, as directed by the Board of Supervisors, through the Request for Information (RFI) process, reviewing publicly available information, meeting with subject area experts, and holding tonight's hearing. Ms. Lowery provided a brief update regarding the RFI, and stated that DTIS received 25 opening comments and 10 reply comments. She stated that the web-based Open Access response system is now available on the Commission's web site. This system is interactive and allows for short comments and dialogue for members of the public who are interested in the Open Access issue, and will be available through November 29, 1999. Ms. Lowery encouraged the public to participate and gave the web site address:

http://www.ci.sf.ca.us/telecommunications_commission/oarequest.htm#notice

Ms. Lowery stated that DTIS is continuing preparation to submit its report for the Board of Supervisors in December and the Department hopes to bring that report to the Commission for review and comment at the December 20 meeting.

- Comment:

Commissioner Lira asked how many comments were received via email or hard copy. Brian Roberts, DTIS Senior Regulatory Analyst, stated that he would research that information and provide it to the Commission.

- Public Testimony:

Supervisor Leslie Katz thanked the Commission and the DTIS staff for all of their hard work on the Open Access issue and stated that she looked forward to reading the report.

(2) Public Hearing

David Ellington introduced and outlined the purpose of the public hearing. He stated that the Commission would first hear testimony from six experts on both sides of the issue, who would each be given five minutes for a presentation. After those speakers, additional public comments of three minutes per speaker will be heard, followed by a final round of public comments of three minutes per speaker, but only from those persons with new information.

Michael Morris, California Director of Government Affairs, AT&T, reviewed AT&T's position opposing open access. Mr. Morris stated that forced access would hurt AT&T's and Excite@Home's customers and that it was developed to help their competitors, rather than consumers. Mr. Morris reviewed the types of services that are coming into San Francisco from Pacific Bell, RCN and AT&T, making forced access unnecessary.

Keith Epstein, General Counsel, Pacific Bell Internet Services, reviewed Pacific Bell's position supporting open access. Mr. Epstein stated that access is going to be the most critical issue in communications today and that innovation is the driving force in this market. He stated that the issue of open access is one of opening a network for interconnection by competing providers of Internet access services, and that they are simply asking for non-discrimination in the marketplace. Mr. Epstein refuted several arguments put forth by opponents of open access.

David Pine, General Counsel, Excite@Home, reviewed Excite@Home's position opposing open access. Mr. Pine stated that open access is a solution in search of a problem. He brought up several questions that regulators should consider before moving forward on this issue. Mr. Pine discussed the difficulties of what it would take to make open access happen in the marketplace and stated that the marketplace can take care of itself.

Albert Parisian, Business Development Manager for Broadband Data Services, GTE discussed the planning and architecture of GTE's open access modem service in Clearwater, Florida and GTE's support of open cable access because it allows the consumer a choice.

Jeffery Sincheimer, Vice President of Law and Public Policy, California Cable Television Association (CCTA), spoke about the difficulties of regulation in this issue and discussed the CCTA's opposition to forced access. He refuted several of the points made by Mr. Parisian about the Clearwater system as it relates to the issue of forced vs. open access. Mr. Sincheimer stated that regulation would slow down marketplace development and that the benefits of competition are innovation and lower prices to consumers.

Tom Long, Senior Telecommunications Attorney, TURN (The Utility Reform Network), stated that TURN has been a watchdog group for consumers for 26 years, to ensure that consumers get essential telecommunication services at fair prices and a high-level of quality. Mr. Long spoke about TURN's support of open access. He discussed TURN's views on the problems associated with closed access, which includes limitation of consumer choice and content discrimination, where the service provider acts as a content gatekeeper.

In response to President Ellington's question, Ms. Brady stated that all of the previous six speakers had submitted written comments to the Department on the open access issue.

Commissioner Engel thanked the speakers for attending the hearing.

Audrey Krause, Executive Director and Founder, NetAction, spoke about the organization's opposition to forced access. She stated that developing widespread, rapid deployment of broadband is best achieved by letting competition develop, and this position is shared by the vast majority of the high-tech industry and the Chairman of the Federal Communications Commission (FCC). Ms. Krause stated that open access/forced access is a position that is promoted by entrenched phone monopolies and America Online.

Dr. Cecelia Wambach, Principal of the John Muir Elementary School, appeared on behalf of Dr. Juanita Owens, President of the City and County's of San Francisco Board of Education and Frank Chong, also a member of the Board of Education. Dr. Wambach spoke in opposition to open access, and discussed AT&T's proposal to provide high-speed modems to all of San Francisco's public schools.

Allen Hammond, Professor of Law, Santa Clara University School of Law, spoke, in part on behalf of the Open Access Alliance, on various points in support of open access. Professor Hammond stated that he has submitted written comments.

Rachelle Chong, former FCC Chairman, now with Coudert Brothers, appeared on behalf of AT&T. Ms. Chong spoke in opposition to open access, and handed out a chart summarizing the conclusion of the FCC in their report Docket no. 98-146 from February 1999. The chart depicts the potential broadband market

competitors as forecast by the FCC, and includes cable modem service providers, wireless providers (terrestrial broadcast, LMDS) utilities, satellite (direct broadcast) and telephone companies (DSL, ISDN.)

Cheryl Hills, Britton et al, spoke in opposition to open access. Ms. Hill discussed AT&T's attention to addressing the digital divide in low-income communities, and her firsthand experiences with these efforts through her volunteer work.

Peter Arnold, Executive Director, Hands Off the Internet Coalition, which includes AT&T, several cable interests, and a variety of companies from the high-tech industry, spoke in opposition to open access. Mr. Arnold spoke about the costs of Internet access dropping due to credible competition in the marketplace.

Margie Marks, President, Communications Workers of America, Local 9410, spoke of the union's opinion in favor of open access and creating a level playing field for all companies. Ms. Marks urged the Commission to look at the labor practices of AT&T and to not allow them to take money out of the community by not providing jobs.

Justin Aborn, Assistant Chief Technology Officer, GTE Internet Working, spoke in favor of open access noting that for many customers cable modems will be their only choice for fast service to the Internet.

Janetta Jones, Executive Director, Jones Associates, represented AT&T and spoke in opposition to open access because of AT&T's involvement in the community through technology projects.

Jon England, Director, Government Affairs, Excite@Home, rebutted the earlier public comment regarding Excite@Home as a potential content gatekeeper. Mr. England stated that their company does not and would never act as a gatekeeper.

Darlene May, small business activist, spoke in opposition to open access. She stated that no one starts on equal footing in our country in regards to competition and she asked the Commission about who benefits – the consumer or the corporation.

- Comment:

Commissioner Engel and Commissioner Lira discussed various points of the open access issue with Michael Morris, AT&T, Keith Epstein, Pacific Bell, Al Parisian and John Riposa, GTE. Questions included the issues of potential profits from offering open access, regulation by local franchise authorities, fees, the digital divide, bundling of services, DSL service, and Internet Service Providers (ISPs.)

- Additional Public Testimony: None.

6. New Business

a) Pacific Bell Directory Assistance (Action Item)

- Proposed Resolution

URGING THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) TO APPROVE AN ALTERNATE DECISION INTRODUCED BY COMMISSIONER CARL W. WOOD THAT SETS FORTH PACIFIC BELL DIRECTORY ASSISTANCE RATES AT A LOWER RATE AND A HIGHER NUMBER OF FREE RESIDENTIAL CALL ALLOWANCES THAN THE PREVIOUS DECISION PROPOSED BY ADMINISTRATIVE LAW JUDGE GALVIN.

Ms. Sieck reviewed the background for the resolution. She stated that in early 1998, Pacific Bell filed an application with the CPUC to increase their directory assistance rates from $.25 per call to $.50 per call. Pacific Bell also proposed to reduce the number of free directory assistance call allowances for residential, business, and Centrex customers. Over the past year, the CPUC has held a series of meetings, hearings, and comment cycles on this issue, and the public generally opposed such a major increase in rates.

Ms. Sieck stated that in August 1999, Administrative Law Judge (ALJ) Galvin introduced a Proposed Decision that allowed Pacific to raise their rates, as requested, at the time to $.50 per call and to reduce call allowances. In October 1999, CPUC Commissioner Carl W. Wood proposed an Alternate Decision that would allow Pacific Bell to increase its directory assistance rates from $.25 to $.35 per call, instead of $.50 per call, without reducing the number of residential customer free call allowances.

Ms. Sieck stated that the CPUC intended to discuss and vote on the decisions at its November 4, 1999 meeting. However, before the agenda was finalized, ALJ Galvin changed the authorized increase from $.50 to $.46 in a last minute substitution. The CPUC now has two proposals before it. The CPUC postponed its decision regarding whether to adopt either the Proposed Decision or Commissioner Wood's Alternate Decision until its meeting on November 18, 1999.

Ms. Sieck stated that DTIS and the City Attorney's office have been carefully monitoring this issue and they believe that it is an appropriate time for the Commission to act. The DTIS staff believes that, as the largest employer in San Francisco, with millions of dollars of telecommunications expenditures per year, a directory assistance rate increase of nearly 50% will cause unnecessary financial burdens for the City in addition to its citizens and businesses.

Ms. Sieck informed the Commission that they had a resolution before them now that formally supports Commission Wood's Alternative Decision and stated that DTIS appreciated their consideration on this issue.

President Ellington read the title of the proposed resolution.

- Comment: None.

- Public Testimony

Ms. Marks urged the Commission not to pass the resolution. Ms. Marks stated that the way that Pacific Bell has dealt with the operators has been commendable by making a commitment to keep live operators, and the company should not be in a position where they are losing money on every call like they are doing right now.

Mr. Long urged the Commission to pass the resolution. Mr. Long stated that there have been over 41,000 public responses opposing this increase to the CPUC, because this increase will impose a hardship to California consumers. Mr. Long stated that Pacific Bell has saved money on providing this service, and has not made any commitment in front of the CPUC to retain jobs.

Linda Vandloop, Director of Regulatory Affairs, Pacific Bell, stated that directory assistance prices have traditionally been below cost and that due to competition in this area, they cannot continue to price their services below cost. She stated that they would be charging less than half of what their competitors are charging, and that most customers would not be effected by this increase.

In response to Commissioner Lira's questions, Ms. Vanderloop stated that 80 percent of customers make three or fewer directory assistance calls per month, and that Pacific Bell determines who is not charged for directory assistance is based on self certification by people with disabilities who cannot use a phone book.

After public testimony, President Ellington moved to adopt the resolution, seconded by Commissioner Engel. The resolution did not pass with two ayes [Ellington, Engel], one nay [Lira].

b) AT&T Cable Services Channel Lineup Changes

Ms. Brady gave an update on AT&T's channel lineup changes. She stated that AT&T has notified subscribers that the cable channel lineup is changing, effective December 1, 1999, and that all of the required access channels will be relocated into the twenties as follows: Channel 26, Government Channel; Channel 27, Education Channel; Channel 28, Leased Access Channel; and Channel 29, Public Access Channel.

Ms. Brady stated that by this change, AT&T is attempting to align all of the AT&T Bay Area programming locations, and that they appear to have met their minimum subscriber notification requirements of 30 days notice. Ms. Brady stated that while 30 days may be reasonable for notifying subscribers of a change in the channel lineup, it is not reasonable notification for PEG channel operators to make a smooth transition. As an example, Ms. Brady stated that the Education Channel prepares its schedule many months in advance to accommodate college course schedules and telecourses. Public, Education and Government (PEG) Channels will likely need to change logos, stationary, and other documents and graphics, which is a bit of a hardship.

Ms. Brady stated that it is her understanding that AT&T coordinated with the Education Channel's next printing of their course schedule, however, college students who are currently enrolled in courses might be confused by these changes. Ms. Brady stated that the Department wished they had more time for the PEG channel operators to notify the public, and that they will be working with them over the next few weeks to ensure a smooth transition. Ms. Brady noted that handouts of the new channel lineup were available at the meeting, and were also mailed to subscribers.

- Comment: None.
- Public Testimony: None.

7. Calendar Matters

President Ellington reviewed the date change of the December meeting from the 27th to the 20th. ***(SPECIAL NOTE: THIS MEETING WILL BE LOCATED IN ROOM 263 OF CITY HALL).***

- Comment: None.
- Public Testimony: None.

Kim Weisman, Commission Secretary, briefly discussed with the Commissioners their preference for a retreat date between the Policy, Planning and Compliance Division of DTIS and the Commission.

- Comment: None.
- Public Testimony: None.

8. Public Comment: None.

9. Adjournment

President E. David Ellington adjourned the meeting at approximately 7:50 p.m.

Respectfully submitted,

_____

Kim B. Weisman, Commission Secretary

DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 99-018

URGING THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) TO APPROVE AN ALTERNATE DECISION INTRODUCED BY COMMISSIONER CARL W. WOOD THAT SETS FORTH PACIFIC BELL DIRECTORY ASSISTANCE RATES AT A LOWER RATE AND A HIGHER NUMBER OF FREE RESIDENTIAL CALL ALLOWANCES THAN THE PREVIOUS DECISION PROPOSED BY ADMINISTRATIVE LAW JUDGE GALVIN.

WHEREAS, in early 1998, Pacific Bell filed an application with the California Public Utilities Commission ("CPUC") to increase its directory assistance (i.e. 411) rate from $.25 to $.50 per call with an option to raise rates to $1.10 and to reduce the number of free monthly directory assistance call allowances for residential, business, and Centrex customers; and

WHEREAS, the CPUC conducted public participation hearings throughout California in November and December, 1998 where 175 people spoke and generally opposed the price increases and call allowance deductions; and

WHEREAS, the CPUC received 4,000 written comments from residents and businesses of California also generally opposing the price increase; and

WHEREAS, on August 17, 1999 Administrative Law Judge ("ALJ") Galvin released a Proposed Decision authorizing Pacific Bell to raise its Directory Assistance rates from $.25 to $.50 and to reduce free call allowances for residential, business, and Centrex customers; and

WHEREAS, on October 21, 1999, CPUC Commissioner Carl W. Wood proposed an Alternate Decision that would allow Pacific Bell to increase its directory assistance rates from $.25 to $.35 per call without reducing the number of residential customer free call allowances; and

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RESOLUTION NO. 99-018

WHEREAS, the CPUC placed the ALJ Proposed Decision on its November 4, 1999 agenda for consideration; and

WHEREAS, before the November 4, 1999 agenda was finalized, ALJ Galvin changed the authorized increase to the directory assistance rate from $.50 to $.46 in a last minute substitution; and

WHEREAS, on November 4, 1999, the CPUC postponed its decision regarding whether to adopt either the Proposed Decision or Commissioner Wood's Alternate Decision until its November 18, 1999 meeting; and

WHEREAS, the rate increase set forth in ALJ Galvin's Proposed Decision will significantly effect the cost of using directory assistance for San Francisco citizens, and business; and

WHEREAS, the City and County of San Francisco, as the largest employer in the City, is a major consumer of these services and would be adversely effected by the ALJ's Proposed Decision; now, therefore be it

RESOLVED, that the Telecommunications Commission of the City and County of San Francisco urges the California Public Utilities Commission to approve an Alternate Decision introduced by Commissioner Carl W. Wood that sets forth Pacific Bell directory assistance rates at a lower rate and a higher number of free residential call allowances than the previous decision proposed by Administrative Law Judge Galvin.

Approved by the Telecommunications Commission:

Ayes: 2 [Ellington, Engel].

Nays: 1 [Lira].

DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 99-018

I hereby certify that the foregoing resolution was approved by the San Francisco Telecommunications Commission.

11.15.99 K B W

Date Approved Kim B. Weisman, Commission Secretary

SF
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12/20/99

Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, December 20, 1999, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 263

AGENDA

There are no action items on this agenda.
All items on this agenda are for discussion purposes only.

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1) CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

2) APPROVAL OF THE MINUTES

- Adoption of the Minutes of November 15, 1999 regular meeting

  a) Comment

  b) Public Testimony

3) COMMUNICATIONS

- See attached description of correspondence

  a) Comment

  b) Public Testimony

4) DIRECTOR'S DTIS REPORT

- Monthly Report on Department's Accomplishments

a) Comment

b) Public Testimony

5) OLD BUSINESS

a) Telecommunications Plan Update

(1) Comment

(2) Public Testimony

b) RCN Update

(1) Comment

(2) Public Testimony

c) 415 Area Code Update

(1) Comment

(2) Public Testimony

d) Unilateral Amendments Update

(1) Comment

(2) Public Testimony

e) Presentation of Open Access Draft Report

(1) Comment

(2) Public Testimony

6) NEW BUSINESS

- Review of Supervisor Leslie Katz's proposal for the Technology Commission

a) Comment

b) Public Testimony

7) CALENDAR MATTERS

- Review of Commission and DTIS Workshop and Proposed Dates

  a) Comment

  b) Public Testimony

8) PUBLIC COMMENT

  a) Comment

  b) Public Testimony

9) ADJOURNMENT

COMMUNICATIONS RECEIVED NOVEMBER 6 – DECEMBER 10, 1999

1. AT&T, "Update on the Broadband Revolution" newsletter, dated November 4, 1999.

2. Email from Dale Bott, dated November 16, 1999, regarding his belief of unfair business practices by AT&T.

3. Email from Doug Kizer, dated November 16, 1999, regarding his support of opening up competition on AT&T's cable lines.

4. Email from Paul Winer, dated November 16, 1999, regarding his opposition to allowing internet access in the home if it is only available through AT&T.

5. Email from Reed Woodson, dated November 16, 1999, regarding his support of open access.

6. Letter from Susan Ritchie, AT&T, dated November 24, 1999, regarding forced access. Includes op-ed piece from The Detroit News, "Force the Access Issue."

7. Email from Robert Kowal, dated December 1, 1999, regarding his opposition to having access to the Internet only through AT&T's cable lines.

8. Letter from Renew Our Neighborhood Parks, dated December 3, 1999, sent by Isabel Wade, Neighborhood Parks Council, Margaret Brodkin, Coleman Advocates for Youth and Children, and Donna Ernstson, Friends of Recreation and Parks, regarding two ballot measures, March 7, 2000 election, supporting San Francisco parks.

9. Letter from Susan Ritchie, AT&T, dated December 6, 1999, regarding the broadband market. Includes op-ed piece from The Los Angeles Times, "Let the Market Control Faster Access to the Internet."

10. Packet from Sue Levitin, AT&T Cable Services, dated December 6, 1999. Includes letter from Ms. Levitin regarding government-mandated access, press release from AT&T and letter from AT&T to FCC Chairman William Kennard regarding AT&T providing customers with a choice of ISPs over AT&T's cable system.

11. Packet from Evette Davis, Barnes Blarke & Associates, on behalf of GTE, dated December 8, 1999. Includes letter from Ms. Davis regarding AT&T's announcement to allow an ISP open access on its cable system, letters from OpenNet Coalition, and Media Access Project, dated December 6, 1999 to FCC Chairman William Kennard, and article from The Boston Glove on "Opening up Broadband."

12. Season's Greetings card from Sue Levitin, AT&T Cable Services, San Francisco.

Please Note:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.

- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email **Telecommunications_Commission@ci.sf.ca.us**.

- The Telecommunications Commission web site address is www.ci.sf.ca.us/Telecommunications_Commission.

- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be received by the Department of Telecommunications and Information Services (DTIS), 875 Stevenson, Telecommunications Commission, 5th Floor, San Francisco, CA 94103 or emailed to **Telecommunications_Commission@ci.sf.ca.us**.

  Comments should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All communications received after this date will be listed on future agendas.

- Telecommunications Commission documents are available for public review on the Commission's web site (see address above) or at the San Francisco Main Pubic Library, 5th Floor, Government Documents section.

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 415/554-6083.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at (no quotes) "www.ci.sf.ca.us/ethics/".

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Individuals with severe allergies, environmental illness, Multiple Chemical Sensitivities, or other disabilities should contact (415) 554-6060 or TDD/TTY at (415) 554-6252, for inquiries. In order to assist the City in accommodating persons with such disabilities, attendees at all public meetings are reminded that other persons may be sensitive to chemically based products. Please help the City to accommodate these individuals.

American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

TELECOMMUNICATIONS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

MINUTES

MONDAY, DECEMBER 20, 1999

CITY HALL

ROOM 263

REGULAR MEETING

5:30 P.M.

COMMISSIONERS

E. David Ellington, President

Ernest Jackson, Vice President

Bonnie Engel

John Lira

Jan Masaoka

Liza Lowery, Director

DEPARTMENT OF TELECOMMUNICATIONS

AND INFORMATION SERVICES (DTIS)

Order of Business

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 6:00 P.M.

President Ellington called roll for the Commission.

Present: E. David Ellington, President

John Lira, Commissioner

Jan Masaoka, Commissioner

Excused

Absences: Ernest Jackson, Vice President

Bonnie Engel, Commissioner

2. Approval of the Minutes of November 15, 1999 Regular Meeting

Commissioner Lira made a motion, seconded by Commissioner Masaoka, to adopt the minutes of November 15, 1999. The Commission moved to adopt the minutes with three ayes [Ellington, Lira, Masaoka], none opposed.

- Comment: None.
- Public Testimony: None.

3. Communications

President Ellington briefly reviewed the list of communications sent to the Commission.

- Comment: None.
- Public Testimony: None.

[At the request of President Ellington, the Commission heard the following item out of order.]

6. New Business

- Review of Supervisor Leslie Katz's Proposal for the Technology Commission

Supervisor Katz discussed the proposal for a Technology Commission for the City of San Francisco. Supervisor Katz stated that she has requested that the City Attorney's office prepare legislation to establish this Commission. The purpose of the Commission would be to work with the technology industry to address some of the related issues and impact that the growth of this industry is having on the City.

- Comment:

In response to President Ellington's question, Supervisor Katz replied that this new Commission would most likely begin convening within the next two months. President Ellington stated his hope that DTIS would be a big part of helping form and assisting the new commission.

In response to Commissioner Lira's question, Supervisor Katz stated that the Commission would most likely consist of a mix of appointments from the Mayor and the Supervisors, would contain between 12 – 22 Commissioners and would serve as both an advisory Commission and a resource for other Commissions.

President Ellington stated that he thought the Commission was a brilliant idea, great for the City and pledged his full support for it.

Commissioner Lira stated that he thought the Commission was a great and timely idea.

Supervisor Katz stated that one of the goals for the Commission was to help close the "digital divide" within the City.

In response to Commissioner Masaoka's question, Supervisor Katz stated that the staffing details for the Commission are currently being worked out.

- Public Testimony:

Mark Solomon, a software engineer in the computer industry, stated his displeasure with the creation of a Technology Commission.

Gilbert Criswell asked where the budget and staffing for the Commission was going to come from in the City.

4. Director's Report

Liza Lowery, the new Director for DTIS, gave a DTIS update to the Commission and reported on the following:

- The City is Y2K (Year 2000) ready.
- DTIS completed an upgrade to 25 of the City's PBXs.
- DTIS has piloted videostreaming of the Board of Supervisors' meetings on the City's Intranet and is looking at providing an application through SFGov, the City's website.
- DTIS supported the recent elections, and for the first time integrated the updated election results between SFGov and the City's Citywatch television channel.
- DTIS completed the installation of Domino for the Lotus notes applications;

a primary example of this is the Ethics Commission online filing system.

- Comment:

In response to Commissioner Masaoka's question, Ms. Lowery replied that she would be working at the Department's operation center at 901 Rankin Street on New Year's Eve, and that there were approximately 160 DTIS employees working over the New Year's Eve weekend at various sites.

- Public Testimony: None.

5. Old Business

a. Telecommunications Plan Update

Eve Eichwald, Project Manager for the Telecommunications Strategic Plan (Telecom Plan), DTIS, gave a PowerPoint Presentation on the Telecom Plan. The presentation covered the small business focus groups, the internal needs assessment, an update on the Plan's outline and the timeline.

Ms. Eichwald stated that the first round of the small business focus groups has been completed, that the second round will be held after the holidays and that a report is due on February 15. In response to President Ellington 's question, Ms. Eichwald stated that the participants in the groups consisted of members from such sectors as non-profits, high-tech and communications, manufacturing and health care sectors. Ms. Eichwald defined the small business sector for most companies as consisting of under 50 employees.

For the Internal Needs Assessment, Ms. Eichwald stated that DTIS is currently in contract negotiations with the selected vendor RCC Associates, but there has been an unanticipated, significant delay with the Human Rights Commission in approving them as a vendor. Ms. Eichwald stated that the next steps are the legal review, signing of the contract and having a report ready by March 24. Ms. Eichwald pointed out that the Internal Needs Assessment is a critical path for the Telecom Plan, so if there is a delay with this process, there might be a delay

with the rest of the Plan.

Ms. Eichwald briefly reviewed the Plan's structure/outline, which will consist of an Executive Summary, a chapter focusing on vision statements and policy actions ("San Francisco in the 21st Century"), a chapter on the Plan's Development and Methodology, and a Conclusion and Appendices. She then briefly reviewed the Plan's timeline.

In response to President Ellington's question, Ms. Eichwald stated that she has been very impressed with the quality of persons who participated in the small business focus groups.

In response to Commissioner Lira's question, Ms. Eichwald reviewed the importance of the Internal Needs Assessment.

Commissioner Masaoka thanked Ms. Eichwald and Ms. Brady for the time that they spent with her reviewing the plan. In response to Commissioner Masaoka's question, Ms. Eichwald briefly reviewed the layout and estimated the page content of the Plan. Ms. Lowery commented that the Plan would be in an easy to understand format.

- Comment: (included above.)
- Public Testimony:

Scott Hauge, San Francisco Small Business Network, asked if the Small Business Commission was brought in to help with the Small Business Focus Groups. Ms. Brady responded that they were contacted in putting this phase of the data collection together.

b. RCN Update

Brian Roberts, Senior Regulatory Analyst, DTIS, gave a brief update on the RCN Cable Television Franchise Negotiations.

Mr. Roberts stated that he and Ms. Brady continue to meet with RCN and that the negotiations are going well. Mr. Roberts further stated that Supervisor Katz introduced placeholder legislation this afternoon to trigger the process under Section 2.105 of the charter; this legislation is an updated version of the franchise that was previously submitted by RCN. Mr. Roberts stated that RCN provided additional information today in support of their application, and that their build out schedule will be provided in January. Mr. Roberts stated that DTIS would be providing RCN with a review of their application status before the end of the year.

- Comment:

In response to President Ellington's request, Mr. Roberts reviewed that RCN is applying for a cable television franchise and will also, in their separate role as a telephone company, be providing high-speed Internet access.

Commissioner Masaoka asked if part of these negotiations were for a contract for services for the provision of services and if this raised any competitive bidding concerns. Mr. Roberts replied that yes, they are discussing RCN providing fiber to City buildings and explained that the franchise process itself will include an opportunity for competitors to match the City's RCN deal.

- Public Testimony: None.

c. 415 Area Code Update

Heidi Sieck, Regulatory Analyst, DTIS, gave an update on the 415 Area Code issue. Ms. Sieck stated that the petition, filed by the City with the California Public Utilities Commission (CPUC) to suspend the area code overlay, was approved. As a result, Ms. Sieck said, there would be no overlay in California for a while and the CPUC has set into place some number conservation requirements.

- Comment

In response to President Ellington's question, Ms. Sieck responded that Supervisor Kaufman spearheaded the recommendation, by passing a resolution requesting DTIS to work with the City Attorney's Office on filing a petition with the CPUC.

- Public Testimony: None.

d. Unilateral Amendments Update

Ms. Lowery reviewed that there is a public hearing scheduled for the January 24, 2000 meeting for possible unilateral amendments to the AT&T Cable Television Franchise.

Christine Ferrari, Deputy City Attorney, discussed Section 29 of AT&T's Cable Television Franchise in reference to the amount of time allotted to submit unilateral amendments. Ms. Ferrari stated that the Section only refers to the amount of time that the Board of Supervisors has to take action on any recommendation from the Commission, and does not specify a time that the Commission must make its recommendation to the Board.

Ms. Ferrari stated that the City Attorney's Office has attempted to ensure that AT&T will not challenge any recommendation from this Commission as untimely. As such, Ms. Ferrari stated that AT&T has agreed that so long as the Commission's recommendations are made by some date certain, AT&T has agreed not to challenge those recommendations as untimely. Ms. Ferrari stated that they are not yet certain of that date, but it is at least as late as February 2000. Ms. Ferrari stated that her office expects to meet with AT&T shortly and prepare a letter of agreement to that effect.

- Comment:

In response to Commissioner Lira's question, Ms. Ferrari stated that the recommended amendments would take effect upon adoption by the Board, which has six months to approve any recommendations received by the Commission.

- Public Testimony: None.

e. Presentation of Open Access Report

Ms. Lowery gave a PowerPoint presentation on the Open Access report, which outlined the purpose and objectives of the general report, the general considerations, definitions, background, development in the judicial, regulatory and legislative areas, other jurisdictions and technical issues, the broadband marketplace, policy considerations and policy options.

Ms. Lowery discussed the process leading up to tonight's presentation and objectives and the general considerations of the report, which included reviewing

non-discriminatory access to content on the Internet and broadband access services.

Ms. Lowery reviewed that the Board Of Supervisors (BOS) resolution supports open access and directs DTIS, the City Attorney's Office and the Telecommunications Commission to report back regarding developments and recommending a course of action. Due to a request made by Ms. Lowery, the report to the BOS will now be due no later than January 15, 2000. Ms. Lowery reviewed that DTIS has focused on implementation of open access, not whether it is the right or wrong thing to do, and that the final decision will apply to all cable franchises.

Ms. Lowery discussed various definitions as they relate to open access and background for the open access report as well as judicial, regulatory, legislative, and technical developments across the country and in Canada as they relate to the open access issue.

Ms. Lowery discussed the broadband market place in the residential and small business market in San Francisco; the services that are currently offered or will be offered in the future including cable modems, Digital Subscriber Lines (DSL) by wireless and satellite providers and perhaps electrical utilities. Ms. Lowery reviewed that currently in San Francisco there is one Internet Service Provider (ISP) available through AT&T's cable modem service and

approximately fifty ISPs available through DSL.

Ms. Lowery covered various policy considerations, including the potential for discrimination (content bias, restricted access to content, etc.), access for people with disabilities, the choices for consumers and what can be effectively imposed by the City, such as technical and regulatory issues, costs and deployment schedules. Ms. Lowery discussed various possible policy options for requiring open access to content, which included: 1. Adopting specific requirements, or 2. Adopting general requirements. In addition, she discussed various possible policy options for access to broadband transport services, which included: 1. Monitoring for possible future implementation, 2. Requiring by January 1, 2003, or 3. Requiring open access now.

In conclusion, Ms. Lowery discussed the next steps for the Department in regard to open access, which will include: incorporating input from the Commission and the public; awaiting final input from the City Attorney 's Office; looking at recommendations for a course of action as requested by the BOS; and delivering the final report to the BOS no later than January 15. It is anticipated that the Commission will take action on the report at their January 24 meeting, which will then be considered by the BOS.

- Comment:

[Due to a conflict of interest on the open access issue, President Ellington turned the chair of the meeting over to Commissioner Lira for the public testimony period of this agenda item.]

Commissioner Masaoka thanked Ms. Lowery for her update and for the efforts to coordinate the actions of the Commission with the BOS.

Commissioner Lira commended Ms. Lowery for an outstanding presentation and asked for clarification on the delivery date of the report. Ms. Lowery stated that the report would be delivered to the BOS no later than January 15. She stated that she would respectfully request that the BOS await action on the report because they had directed the Commission to provide input, but the BOS could take action on the report at any point, should they so choose.

- Public Testimony:

Dr. Juanita Owens, President of the San Francisco Unified School District, spoke favorably of the San Francisco schools' history with AT&T, their commitment to providing high-speed modems to the schools and stated her position against forced access.

In response to Commissioner Masaoka's question, Ms. Owens stated that she was not representing the school district tonight.

Paul Hogan, owner of an Internet startup, urged the Commission to move cautiously while considering whether to force access to the Internet through regulatory efforts.

Tim Tronson, Interim Executive Director for Facilities Planning, San Francisco Unified School District, stated that he wanted to make sure that the school children have access to rapidly changing technology and the decisions should be left to the discretion of the different entities trying to work out these agreements.

Dan Jacobsen, Representative, Pacific Bell, encouraged the Commission to consider option #3 to have non-discriminatory access right now.

Scott Hauge, owner of a small business in San Francisco, stated that almost all small business owners support open, non-discriminatory access to content and broadband transport.

J.R. Patterson, President, Small Business Network, stated his concern that his organization was not approached for the focus groups and that he has a great concern that one company is picking one ISP who will be the sole provider of access to the Internet and ignoring the small business ISPs in San Francisco.

Jim Billings, President, Local Chapter, Internet Professionals, stated that the vast majority of their 10,000

members worldwide are in favor of open access and stated his support of option #3. Mr. Billings addressed Ms. Owens' previous statement about the school modems and stated that it was a requirement mandated as part of AT&T's franchise agreement and not a good-will gesture.

Diane Rosen, Technology Teacher, Claremont Elementary School, described a project between AT&T and her school which brought technology to low-income families.

Linda Crayton, Director of AT&T, Bay Area, announced that Mindspring would be added to AT&T's system as an ISP, and that it was AT&T's intention for other ISPs to have access to AT&T's high-speed fixed wire system. She stated that AT&T is committed to a $50 million upgrade of San Francisco's cable infrastructure and preferred commercial agreements to government intervention.

In response to Commissioners Masaoka's and Lira's questions, Milo Midin, Chief Technology Office, Excite@Home, briefly explained AT&T's proposed arrangement with Mindspring.

Walter Vornbrock, III, representative, Zeus Venture Capital, spoke in support of option #3.

Cliff Staton, Executive Director, Open Access Alliance, spoke in support of option #3.

[Commissioner Lira turned the chair of the meeting back to President Ellington.]

7. Calendar Matters

- Review of Commission and DTIS Workshop and Proposed Dates

Ms. Lowery briefly reviewed the purpose of the workshop and Kim Weisman, Commission Secretary, briefly reviewed the proposed February dates for the workshop.

  - Comment: None.
  - Public Testimony: None.

8. Public Comment: None.

9. Adjournment

President E. David Ellington adjourned the meeting at approximately 7:53 p.m.

Respectfully submitted,

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Kim B. Weisman, Commission Secretary

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